OCTOBER 29, 2001

A JOURNEY INTO AFGHANISTAN By Elizabeth Rubin

THE NEW REPUBLIC

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By Lawrence F. Kaplan

THE FAITH BEHIND THE FIGHT
By Leon Wieseltier

AFTER FEAR

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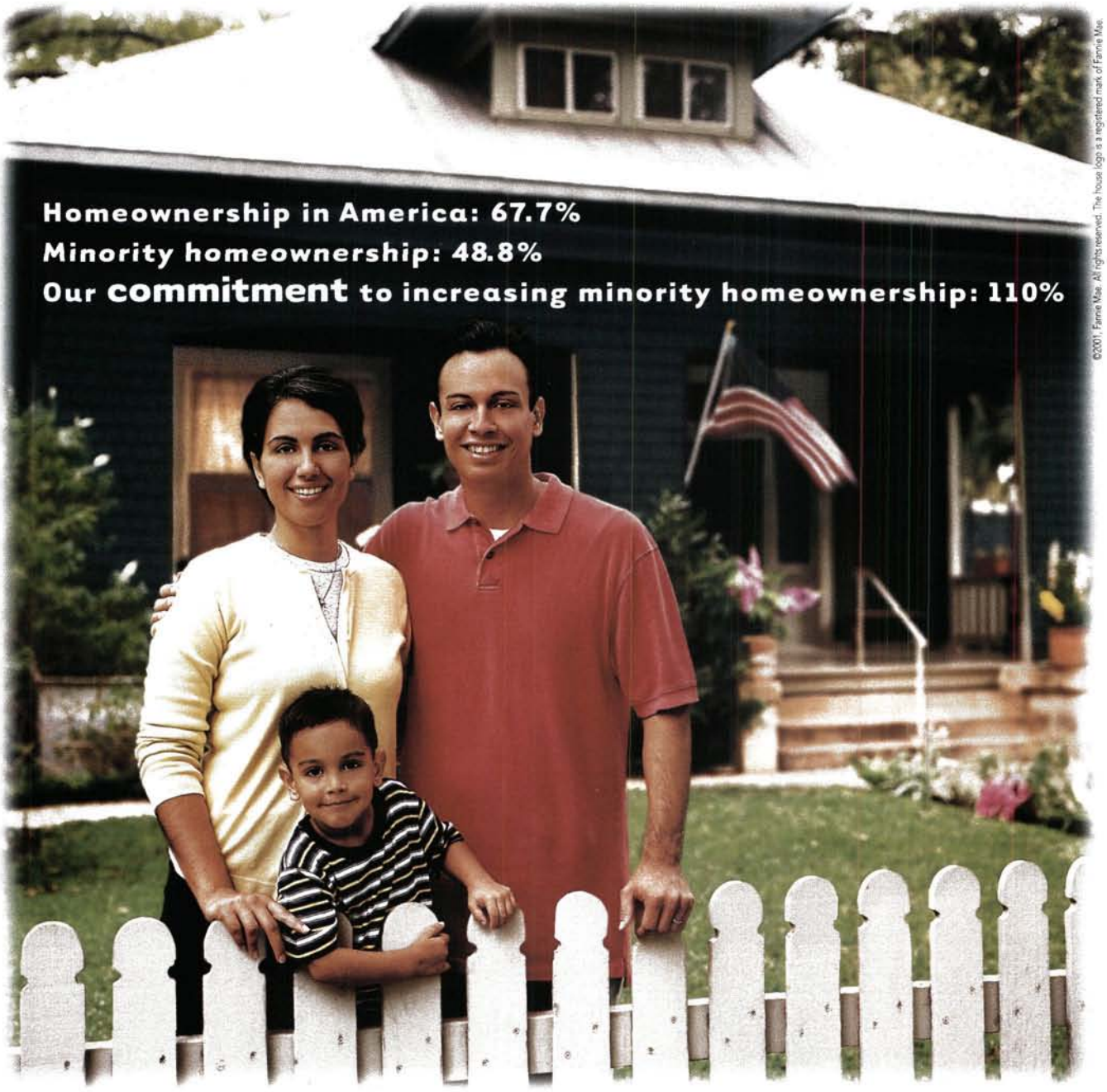

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THE NEW REPUBLIC

A Journal of Politics and the Arts

WASHINGTON, D.C.
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Scout's honor

TO THE EDITORS:

Thank you for printing "Big Tent," by Benjamin Soskis (September 17). As the mother of a gay son, I believe there is no greater organization he could belong to than the Boy Scouts of America. He deserves the same ability to learn to camp, to serve his community, and to become a leader as any other boy. I can think of no finer role model for him than someone like James Dale, who came up through the ranks of scouting to earn his Eagle. Why must Dale hide his sexual orientation? Because there are many in scouting who don't want their churches' teachings that homosexuals are abominations to be challenged by letting boys meet a real-life gay man who embodies the values that scouting promotes.

WENDY WARTES
Woodinville, Washington

Watch your mouth

TO THE EDITORS:

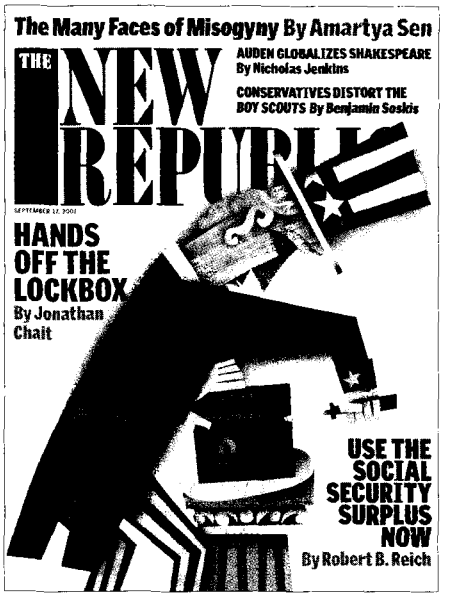
Siddhartha Mukherjee brings up an issue dear to my heart: the health of the millions of uninsured Americans ("Heal Thyself," September 17). However, I take issue with his putting dentists "at the bottom of the list" for "framing Washington's health care policy debates." Dentists are crucial to America's health care. Chronic oral infections have been linked to increases in bacterial pneumonia, cardiovascular disease, and pre-term, low birth-weight babies. Twenty-five percent of U.S. children and adolescents have 80 percent of the country's tooth decay, and these children are often uninsured. Twenty-one percent of tenth graders in California are in urgent need of dental care for intense decay, pain, or infection. These problems can cause difficulty eating, sleeping, speaking, learning, playing, and working. This year 8,000 Americans will die from oral and pharynx cancer. The simple truth is that oral health is an alarmingly neglected part of the health care and social service system.

JENNIFER HOLTZMAN, D.D.S.
Valley Village, California

Health care

TO THE EDITORS:

Amartya Sen eloquently probes the phenomenon of misogyny, concluding that gender inequality imposes social costs on both men and women and defies an "all-purpose remedy" ("The Many Faces of Gender Inequality," September 17). But his exploration of the multiple inequalities faced by women and girls omits one major factor: violence against women.


The Many Faces of Misogyny By Amartya Sen
THE NEW REPUBLIC
AUDEN GLOBALIZES SHAKESPEARE
By Nicholas Jenkins
CONSERVATIVES DISTORT THE BOY SCOUTS By Benjamin Soskis
HANDS OFF THE LOCKBOX
By Jonathan Chait
USE THE SOCIAL SECURITY SURPLUS NOW
By Robert B. Reich

Sen attributes unusually high mortality rates for women in some regions to the "widespread neglect of health, nutrition, and other interests of women that influence their survival." While that is certainly true, Human Rights Watch's research indicates that more insidious forces contribute to these grim statistics. Governments worldwide fail to protect women from violence. Women suffer severe and sometimes fatal injuries inflicted by intimate partners, injuries exacerbated by discriminatory health care and official neglect. Official statistics in the Russian Federation indicate that 14,000 women are killed by husbands or family members each year. Thousands more suffer injuries only to confront police officers who refuse to issue reports or provide protection.

In the United States, according to the Centers for Disease Control and Prevention and the National Institute of Justice, approximately 1.5 million women are raped and/or physically assaulted by their current or former husbands, partners, or boyfriends each year, making domestic violence a leading cause of injury to women ages 15 to 44. In Pakistan, of 215 cases of women suspiciously burned to death in their Lahore homes in 1997, authorities took suspects into custody in only six instances. And in Uzbekistan, state officials continue to coerce women to return to battering husbands, sacrificing their safety and health for family cohesion. Uzbek authorities prosecute violent men most often only after the victim commits suicide, as in the case of a battered woman who drank concentrated vinegar after a particularly severe beating in June 2001. Domestic violence also contributes to maternal deaths around the world: In India a 1996 study revealed that 16 percent of all deaths during pregnancy in Maharastra stemmed from domestic violence.

Sen has provided a brilliant exposé on gender discrimination. But we cannot ignore that one of the faces of inequality is gender-based violence. Maimed, raped, beaten, and sometimes even killed with impunity, these "missing women" have been invisible for too long.

MARTINA E. VANDENBERG, J.D.
Women's Rights Division
Human Rights Watch
Washington, D.C.

AMARTYA SEN REPLIES:

Martina E. Vandenberg is absolutely right: Violence against women is a major source of gender inequality. She is also right to point out that a significant proportion of female mortality relates in some way to the violence that women encounter. I will not argue with her whether my classification of different types of gender inequality "omits" this phenomenon, as she argues, rather than including them under differently classified categories—in particular "mortality" (including what I called "the brutal form of unusually high mortality rates") and "household inequality" (including "fundamental inequalities in gender relations within the family or the household"). No matter how the classificatory issue is addressed, there is a very strong case for following Vandenberg in focusing more on different types of violence against women.

I must, however, add a supplementary point. The number of women who perish from nonviolent discrimination tends to be substantially larger than those who die from physical violence. For example, even if we fully agree with the estimate that 16 percent of all deaths during pregnancy in Maharastra stem from domestic violence (that number from a 1996 study has been disputed), the *remainder* of maternal mortality, which relates to undernourishment and medical neglect, is extremely high. This is important to note since nonviolent and less visible discrimination, which kills many more women, tends to get even less attention in the media than does physical violence. The scandalous statistic of 215 cases of women burned to death in Lahore certainly calls for much more media interest, but that would be easier to generate (indeed, the Pakistani press has already reported many of these cases) than media interest in the millions of young girls who quietly perish from unequal care in health and nutrition. To recognize this media bias does not, of course, contradict anything Vandenberg says in her illuminating letter. ■

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TRB

FROM WASHINGTON

Build Up

CONSIDER THE FOLLOWING scenario: The United States overthrows the Taliban. President Bush makes good on his pledge to reconstruct Afghanistan, pouring in billions of dollars. In return, the new government helps America cleanse the country of Al Qaeda.

The initial battle of the war on terrorism has been won; Afghanistan is no longer a breeding ground for genocidal Islam. But amidst the jubilation, Americans receive word that Osama bin Laden and 200 of his followers have slipped out of the country and taken refuge in Somalia.

Absurd? Not necessarily. Somalia today has a lot in common with the Afghanistan that took in bin Laden in 1996. The Somali government is broke and could well be bought, as Afghanistan's was, by a man with millions of dollars to throw around. Central authority is extremely weak—warlords dot the country and two regions have virtually seceded. Civil society has collapsed, and hard-line Islam is filling the void. According to *The Economist*, 90 percent of Somali children now attend Koranic schools. Women must wear a chador. The country's courts increasingly enforce *sharia* law. If bin Laden showed up, he would find a sympathetic population, political factions willing to harbor him, and a central authority perhaps unwilling and almost certainly unable to do anything about it.

So the war on terrorism would move south. The Bush administration would threaten the government in Mogadishu, perhaps send in special forces, perhaps even bomb. American commentators—fresh from tut-tutting that America's post-cold-war abandonment of Afghanistan created the conditions for terrorism—would start tut-tutting that America's post-cold-war abandonment of Somalia created the conditions for terrorism. And weeks after admitting that "nation-building" was necessary in Afghanistan, President Bush might be forced to admit that, lo and behold, it was necessary in Somalia as well.

In other words, Afghanistan is not unique. And, because it is not unique, the lessons it is teaching cannot be segregated from American foreign policy more generally. Which means that President Bush's awkward admission last week that "nation-building"—which he has been trashing for close to two years—is necessary in Afghanistan constitutes a more fundamental reversal than his advisers acknowledge. If the war on terrorism requires nation-building in Afghanistan, it requires nation-building all over the world. And if the war on terrorism requires nation-building all over the world, one of the central principles of post-1994 Republican foreign policy has been proven hideously wrong.

In recent years liberals (myself included) have gleefully hurled the epithet "isolationist"—deployed so devastatingly against Democrats in the 1970s and '80s—back in the GOP's face. But the truth is a little more complicated. When it comes to great power threats (Taiwan) or clear economic interests (the Gulf), Republicans have remained willing to expend American blood and treasure.

What the GOP has vehemently turned against is what Michael Mandelbaum acerbically called "foreign policy as social work." When the Gingrichites took the House in 1995, they tried to cut foreign aid by one-third. Republican leaders opposed economic assistance for Haiti after the Clinton administration restored Jean-Bertrand Aristide. And with the exception of John McCain and a few others, they denounced America's air war in Kosovo.

In his campaign for president, George W. Bush picked up the baton. In his October 11, 2000, debate with Al Gore, he declared his opposition to "nation-building" no fewer than five times. He announced that he would withdraw U.S. troops from Haiti, and his chief foreign policy adviser, Condoleezza Rice, declared that he would eventually withdraw them from Bosnia and Kosovo as well. As she put it, "We don't need to have the Eighty-Second Airborne escorting kids to kindergarten."

Bush and the Republicans leveled several charges against nation-building. First, they said it stretched our military too thin. But when W. demanded the withdrawal of American troops from Haiti, the United States only had 75 of them on the ground. America's peacekeeping operations in the former Yugoslavia totaled around 1 percent of the annual defense budget and involved fewer than 10 percent of the U.S. troops in Europe. Second, the GOP insisted that nation-building never works. But in the former Yugoslavia, NATO troops and Western aid have not only stopped the region's terrible wars, they have contributed to the democratization of Serbia and Croatia—virtually ensuring that those wars will not start again. Even in Haiti, widely considered a nation-building fiasco, the United States replaced a murderous junta with a chaotic and hapless democracy—a limited but genuine improvement.

Such evidence was largely beside the point, however, because the GOP's true objection to nation-building was deeper. The party simply didn't believe that the disintegration of far-off, dirt-poor countries threatened American security. And so, even if nation-building might do some good, it wasn't worth a modest expense or a single casualty.

In the case of Afghanistan, even President Bush has now implicitly admitted that this argument was disastrously wrong. But if it was wrong in Afghanistan, it is wrong in lots of other places as well. After all, the White House says there are Al Qaeda cells in roughly 68 countries. The network thrives in places beyond central government control—Pakistan's northwest frontier; remote islands in the Philippines and Indonesia; impoverished, lawless countries like Yemen, Tajikistan, and the Sudan. And we now know that even the most backward states can provide a platform for mass murder on the other side of the globe. There are large Muslim populations in Congo, Guinea, and Sierra Leone, failing states that America has essentially written off. If Al Qaeda set up shop there, local governments would be powerless to stop them.

This is not to suggest that the United States needs a Marshall Plan for every unstable country on Earth. But September 11 does go a long way toward answering the question that Republicans asked every time the Clinton administration intervened in some remote country: "Why should we care?" We should care because we are fighting another global war. During the last one, Republicans understood better than Democrats that far-off, dirt-poor countries like Angola, Vietnam, Nicaragua, and Afghanistan could threaten the United States if they fell prey to an enemy with global ambitions and global reach. And, more than Democrats, they were willing to send aid, expend diplomatic capital, and even deploy troops to make sure that didn't happen. That is the lesson the GOP needs to relearn today.

Eight years ago, when the United States lost 18 troops trying to reconstruct Somalia, Clinton and the Republicans agreed that the mission wasn't worth the loss of life. But imagine if America had stayed—losing 18 lives a year and spending billions of dollars—and as a result Somalia was today a functioning country under unified, responsible control. In other words, a country Al Qaeda couldn't call home. After September 11, can we really say it wouldn't have been worth the cost?

PETER BEINART

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After Fear

"I WILL SHOW you fear," the poet wrote, "in a handful of dust." The handfuls of dust have been appearing in Boca Raton and New York and Washington, and the fear is loose in the land. "The fear factor," the networks and the newsmagazines call it, when in truth it is not in the nature of fear to be just a factor. Instead it overwhelms all the contents of the mind. The combined awareness of our danger and our ignorance is hard to withstand. First the deadly planes, now the deadly spores. We are just beginning to entertain the thought that it is safe to fly when we must begin to entertain the thought that it is not safe to open the mail. Parents are tortured by the vulnerability of their children, to whom they must explain what they, the adults who know how the world works, do not understand. But then we do not know how *this* world works. *This* is not the world into which we expected to bring our children. We, after all, are Americans.

But suddenly this is what happens to Americans. A certain American exceptionalism lies buried, along with six thousand men and women, in lower Manhattan. Now bioterrorism, too, has happened here. The apparent sophistication of the anthrax that was directed at Capitol Hill has sent a shudder through the government. Congress has been closed for reasons of security. Just how inadequately prepared for this virulence are we? If the appearance of anthrax in our midst as an instrument of terror has not caused a panic, it is because the numbers so far are small: a few dozen Americans exposed, four Americans infected, one American dead. As a consequence of these small numbers, commentators are now instructing the American people on the commonplace realities of risk, and in this way offering mathematical solace: the odds of contracting anthrax from a letter are spectacularly less than the odds of experiencing almost any of the perils that may come to pass in ordinary life. We are learning to live with orders of magnitude; and if this enables us to stabilize our sense of what we are enduring, and to regard it more lucidly, then the arcana of risk will have helped.

But all this talk about "the odds" encourages also a strange passivity. Finally the odds are the gods: when we appeal to the odds, we are appealing merely to luck, or to fate, or to grace. This is not a frame of mind that is conducive to historical action. It is important to remember, therefore, that there is an essential difference between the bus that might strike Senator Daschle in the street and the envelope with white powder that was sent to Senator Daschle's office. The former is an accident, the latter is a plot. What is missing from the theodicy of risk is the sense that we are facing not only our odds but also our enemies. This is not a health crisis; this is a war. Dare we suggest that there is comfort in that fact? We have not been punished with a plague, we have been attacked by an adversary. The germs are not visible to the naked eye, but the fiends who visited the germs upon us are visible to the naked eye, even at night, even from the air. This mystery does not require philosophy for its solution. It can be solved forensically and militarily.

We must remember also that the feeling of American exceptionalism in this regard was always an illusion. It was an illusion that the tulip craze of the Clinton years made especially vigorous. Prosperity and triviality disarmed us in our spirits. But historical consciousness may buck us up. For there are precedents, even in our own lifetimes, for the interruption of American fun by American fear. The success of nuclear deterrence against the Soviet Union, if that is what succeeded in protecting us against a nuclear attack for fifty nervous years, should not blind us to the fact that that there was a basis in reality, in military reality and technological reality and political reality, for the cold war's weather of fear. We did not conquer that fear, we managed it. Until fear is conquered, it must be managed. And that, surely, is a definition of courage.

A brave man is not a man who is unafraid. There are circumstances in which only a fool is unafraid. No, a brave man is a man who acts as if he is unafraid. He carries his fear into his struggle, to show that he rejects it even as he recognizes it. The "as if" is a part of his equipment, a part of his arsenal. In the shattering weeks since September 11, it has been definitively proven that Americans have courage. The time has come to weaponize it. ■

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N O T E B O O K

IDIOCY WATCH, CONT'D: "There are plenty of reasons to be sceptical. The magical appearance of the terrorists' luggage, passports, and flight manual looks rather too good to be true.... Even the anthrax scare looks suspiciously convenient. Just as the hawks in Washington were losing the public argument about extending the war to other countries, journalists start receiving envelopes full of bacteria, which might as well have been labelled 'a gift from Iraq.' This could indeed be the work of terrorists, who may have their own reasons for widening the conflict, but there are plenty of other ruthless operators who would benefit from a shift in public opinion." —George Monbiot, *The Guardian*, October 16

"Any writer my age grew up with the statement by Ernest Hemingway that war is the best material and wondered if that was true, and whether we would ever get it. In Bouley's kitchen, I had my first taste of war. The feeling of doing important work, side by side, and trying to suppress your ego. The fluidity—that everyone was being called and that if you showed the right energy and purpose you could excel, and your job might change, you would get more responsibility in an instant. The chaos—two refrigerated trucks pulled up and we were suddenly, senselessly loading boxes of cheap tomato sauce from one to the other. The shortages—for hours there were not enough lids for the trays, and I had to go next door, or harass the dishwashers. The waste. Everything about normal life was turned on its head. Of course, I am talking about life behind the lines. Still, it was monstrously exciting."—Philip Weiss, *New York Observer*, October 15

"The World Trade Center disaster is a globalized version of the Columbine High School disaster. When you bully people long enough they are going to strike back."—Sam Smith of the *Progressive Review*, in a speech to the September 29 Green Party conference

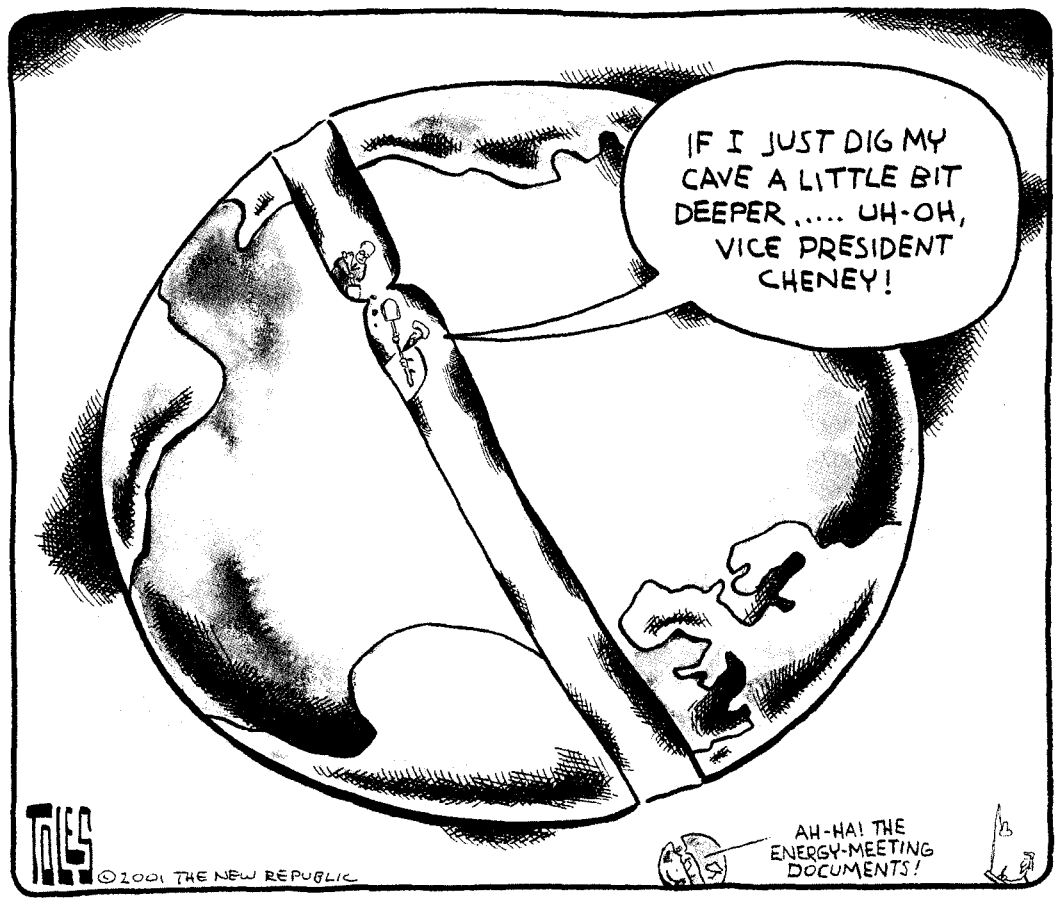
"Don't make the mistake of interpreting the events of Sept. 11 purely in terms of terrorism and murder.... The terrorists are a virulent subset of a much larger group of anticapitalists, one that includes many politicians, bureaucrats, writers, media types, academics, entertainers, trade unionists and, at times, church leaders. The barbarians at the gates are more numerous than you thought."—Steve Hanke, *Forbes*, October 29 issue

"The bombing of Afghanistan is the legal and moral equivalent of what was done to the Americans on Sept. 11."—Law professor Michael Mandel, Toronto *Globe and Mail*, October 9

"In a situation like this, of course you identify with everyone who's suffering. [But we must also think about] the terrorists who are creating such horrible future lives for themselves because of the negativity of this karma.... It's all of our jobs to keep our minds as expansive as possible. If you can see the terrorists as a relative who's dangerously sick and we have to give them medicine, and the medicine is love and compassion. There's nothing better."—Richard Gere, interviewed by ABCNEWS Radio, October 10

"The real irony of the situation is that Osama bin Laden is essentially demanding that we live by our own original principles."—syndicated columnist Joseph Sobran, October 12

"Only 13 days [after the World Trade Center attacks] on Public Broadcasting Stations, a seven-part, eight-hour event of grave importance was also witnessed by millions of Ameri-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cans.... Both events have much in common.... And while the public now understands from President Bush that 'We're at War' with religious fanatics around the world, they don't have a clue that America is being attacked from within through its public schools by a militant religious movement called Darwinists.... [L]et this blatant video series speak for it. And let its support documents tell you of mind control beyond anything yet seen in public education. 'Evolution' is PBS's assault that's coming to your children's classroom—not soon but now."—Ken Cumming, Institution for Creation Research (*www.icr.org*)

"Bin Laden is particularly dangerous because he is a roving bandit. His whereabouts are mysterious and subject to change. Give someone like him a government, and two things would happen. His regime would be forced to become at least somewhat accountable to his supporters. He would have to deliver the goods, or an opposition would brew against him."—Sociology Professor Michael Hechter, the *Los Angeles Times*, October 16

"But there have been cracks in the patriotic veneer, ugly moments in which vicious partisanship has supplanted patriotism. And every one of them has come from the right."—Paul Begala, *The American Prospect*, November 5 issue

Idiocy Watch thanks Kevin Anderson, Pat Cleary, Andrew Creighton, Michael Ikeda, Adam Minter, and many other contributors. Additional Idiocies may be found at THE NEW REPUBLIC ONLINE (*www.thenewrepublic.com*); readers are invited to submit their own nominees to online@tnr.com.

HARD TARGET: The September 11 attacks have led the Bush administration to change its position on plenty of foreign policy issues—Russia's war in Chechnya, Pakistan's dictatorship, Uzbekistan's dictatorship, Sudan's dictatorship—that have only a tangential moral relationship to our war on terrorism. But it so happens there's another foreign policy issue with a much stronger moral connection to our war on terrorism: Israel's policy of assassinating terrorists, which the State Department has consistently denounced. You might think recent events would have prompted Foggy Bottom to reevaluate—after all, the United States has been fairly up-front about its efforts to specifically target Taliban and Al Qaeda leaders in Afghanistan. Last week we reportedly missed Mullah Omar, the Taliban's supreme ruler, by mere minutes. But this shift in U.S. policy apparently hasn't changed our views on Israeli policy—all of which has forced Foggy Bottom into some rather embarrassing linguistic corners. Earlier this week State Department Spokesman Philip Reeker declared that, with regard to Israel, the United States has "the same position that we have said over and over again. And that is that we oppose a policy of targeted killings." When asked by a reporter to explain this position in light of America's specific targeting of Osama bin Laden and Mullah Omar, Reeker replied: "I can't really draw a parallel between the two. Our position on the Israeli policy of targeted killings is well known." Note the slight change in wording in Reeker's second reply: The *Israeli* policy of targeted killings. Thus he did usefully clarify the administration's view: Apparently a policy of targeting terrorist leaders is wrong only when conducted by Israel.

TIME TO FIND SOME NEW EXPERTS: "THE NEXT THREAT? Experts agree we don't need to worry about an anthrax attack yet. But we should be prepared."—*Time* headline, October 1 ■

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The battle over how to fight the war.

Slow to Anger

By LAWRENCE F. KAPLAN

AS WELL AS bombs and food, American aircraft have been dropping leaflets over Afghanistan that say, "The partnership of Nations is here to assist the People of Afghanistan." It's unclear how many Afghans have been convinced their welfare is the primary aim of America's war. But the propaganda is certainly winning hearts and minds at the State Department, which has been busy plotting Afghanistan's political destiny. Deputy Secretary of State Richard Armitage, who has been mapping out the "eventual shape" of Afghanistan, instructs that "the Afghan experience seems to show that when government is roughly a loose federation, it seems to work best, with a very high degree of local autonomy." Colin Powell has even mused that Taliban officials might play a useful role. Now there's nothing wrong with planning ahead. But, increasingly, that planning is interfering with—and impeding—America's war aims. Nowhere is this more evident than on the plain north of Kabul, which, until recently, the State Department's logic had transformed into a bed-and-breakfast for weary Taliban fighters. "We're trying to fight a war here," complains a senior Pentagon official, "and [State Department appointees] are talking about loya jirgas, why we shouldn't hit certain Taliban units, and what Pashtuns like to eat for breakfast."

Two weeks ago State Department officials didn't want the bombing to begin at all—arguing it should wait for the outlines of a future Afghan government to come into place. Then they insisted that the U.S. air campaign spare Taliban forces arrayed against the Northern Alliance, so the rebels couldn't advance on the capital. And now Colin Powell, Policy Planning director Richard Haass, and Haass's deputy, Clinton holdover Donald Steinberg—who, according to sources at the State Department, have elbowed aside the more conservative Assistant Secretary of State for South Asian Affairs, Christina Rocca—argue that the United States should effectively prolong the war until America can cobble together a coalition to rule Afghanistan. Far from sharing the military's aim of "eviscerating" the Taliban, their worst fear is that it will fall too quickly.

The concern is that if the minority-dominated Northern Alliance takes Kabul, its members may revert to killing one another, and the Pashtun tribes of Southern Afghanistan might revolt, plunging the country back into chaos. "[The Northern Alliance] is incapable of running Afghanistan," says a State Department official, "and, frankly, we don't trust them to stay put if nothing stands between them and Kabul." UN secretary general Kofi Annan has emphasized the point in almost daily telephone conversations with Powell, who, in turn, has emphasized it to President Bush. A second, but less important, rationale for keeping the Northern Alliance out of Kabul derives from the need to keep a lid on Pakistan, whose dictator, Pervez Musharraf, insists a Northern Alliance victory would return Afghanistan to "anarchy, atrocities, and criminal killings." (In truth, Musharraf objects to the Northern Alliance because of its ties to India.) Both are legitimate concerns. The question is, are they so urgent that the war should be put on hold?

Oddly enough, the logic of defeating our adversaries by not defeating our adversaries briefly found a willing audience at the Pentagon as well. But it wasn't the State Department's logic. Senior officers involved in the war's planning supported temporarily exempting frontline Taliban positions not in the name of diplomacy or regional stability, but for purely operational reasons. The principal one being this: Pentagon officials believe the majority of Al Qaeda operatives have sought refuge in Pashtun-dominated southern Afghanistan. Were the mostly Uzbek and Tajik fighters of the Northern Alliance to take Kabul quickly, military planners fear the Pashtun would rally around the Taliban and Al Qaeda, making the task of hunting them down even more risky and daunting than it already is. They also claim that a chaotic Afghanistan would make it more, not less, difficult to locate the terrorists harbored in its midst. Finally, Pentagon officials hope that defections from northern Taliban positions will provide the United States much-needed intelligence—and dead Taliban won't be very helpful in this regard.

BUT THAT'S WHERE the similarities between the Pentagon and State Department positions end. Far from opposing close collaboration with the Northern Alliance, American military commanders have already benefited from the opposition's tactical intelligence and have no objection to it taking Kabul—particularly as no other force can, and the United States certainly won't—once U.S. troops have assaulted Al Qaeda strongholds in the South. "We would like to see them heave the Al Qaeda and the Taliban leadership ... out of that country," says Donald Rumsfeld, who insists that "the Afghan people are going to have to sort out which among the opposition groups will have what role in a post-Taliban Afghanistan."

In fact, the Pentagon has been encouraging the Northern Alliance to move aggressively. For, according to senior defense officials, the true problem with the Northern Alliance isn't that it will take Kabul too quickly; it's that it might not be able to take it at all. "The idea that, once we bomb, they're going to drive unopposed into Kabul is ludicrous," seethes one Pentagon official. "They still have to get into the city, and that's going to take time." At the National Security Council, too, a review completed this week concluded that the United States should accelerate its efforts to oust the Taliban. The State Department, by contrast, didn't want the path to Kabul cleared until progress had been made toward the formation of a coalition government—a process that could take weeks, and which thus far has gone exactly nowhere.

There are, to be sure, wartime measures the United States can take to promote post-war stability. The insistence on not

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A Different Kind of Character for a Different Kind of War

David Davenport is a research fellow at the Hoover Institution.

Wasn't it only yesterday that we ushered in the new millennium with such loud fanfare and high hopes? But, in only a matter of months, we are already engaged in the first war of the new era, one described as a "different kind of war" against secret enemies in unknown places. Doubtless there can be no high-tech knockout punch, as in the gulf war; instead we will need to gird ourselves for sustained combat against terrorism around the world.

Thanks to authors and actors such as Tom Brokaw and Tom Hanks, we have rediscovered the key to victory in the greatest war of the last century: the remarkable character of that generation of Americans. I know it firsthand because I grew up in one of its families. Character traits such as sacrifice, loyalty, teamwork, and deferred gratification came naturally to my parents after their World War II experience.

What kind of character might it take to win this new kind of war? And does this generation have what it takes? The early signs are encouraging. Who could not have been inspired by the character of firefighters in New York or the heroism of passengers on United Flight 93? Happily this year's fall colors include the red, white, and blue of patriotism, everywhere from storefronts to pickup trucks.

But to win this war, **an initial outburst of heroism and patriotism will not be enough.** When the book is written on this generation of Americans and its major war against terrorism, it will need to record that Americans reframed their character in several important ways.

This is truly the "now" generation. Through technology, basically everything we know can be zipped around the world in a matter of moments, and billions of dollars change hands in a nanosecond. Americans will want pictures of captured terrorists and shorter lines at airports very soon.

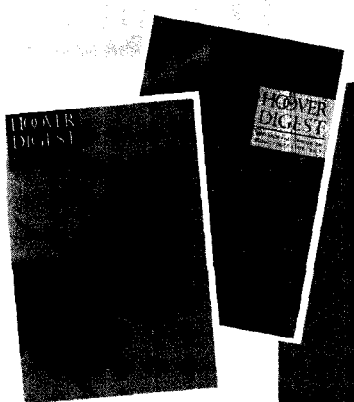
But can we reframe our thinking and recognize that a complex war such as this is not fought in minutes or hours but perhaps in months and years? If the opportunity before us is to rally the world community and eradicate the threat of terrorism, that will be a long-term economic, political, and military campaign. **Can we reframe our frustration and understand that patience is part of our contribution to winning this war?**

We are also the "me" generation, focused mainly on meeting our own needs. In the early days of this battle, there have been encouraging signs that we were breaking through to the "we" thinking that could win this war. Political leaders set aside their conflicts and stood together; ordinary Americans set aside their own personal safety and comfort to help others. We must remember that World War II was not won by soldiers alone but also by people back home who saved gasoline and built ships faster than ever before.

In short, this "different kind of war" is as likely to be decided by the content of our character as by the accuracy of our bombs. Let's be sure America is well armed!

— David Davenport

Paid for by the Hoover Institution, Stanford University.



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attacking bridges and electricity grids, the sluggish and exquisitely calibrated air campaign, the parade of American diplomats courting the former Afghan king—all testify to the imperative of keeping the country's infrastructure intact.

But exempting Taliban troops from bombardment took that imperative too far. Reporting from Afghanistan, *Washington Post* correspondent Peter Baker noted: "The Taliban has been so confident that the United States would not strike front-line positions that every night it moves troops there from the city to protect them." Those units, which, according to the latest estimates, have been reinforced by 7,000 troops, consist largely of Arab fighters recruited by bin Laden—and, as such, offer exactly the sort of target the air campaign was meant to destroy.

Doing that, however, hardly settles the question of Kabul, which is still the object of furious debate within the administration. That's because the clock is ticking on this war. In exactly one month winter arrives in Afghanistan and, with it, the impossibility of launching an offensive against Kabul from the North. One administration official suggests the Northern Alliance could seize the northern city of Mazar-e-sharif and advance on Kabul in the spring—and, in fact, U.S. air strikes have deliberately encouraged the opposition's advance toward Mazar-e-sharif. But letting the Taliban hang on to Kabul through the winter would amount to a huge, and entirely unnecessary, defeat for the United States. In exactly one month, too, Ramadan arrives, which could ignite a public explosion in the region if American operations continue. Already, televised images of civilian casualties and a steady stream of Taliban propaganda have stirred the pot next door in Pakistan. Hence the very same Pakistani officials who have been urging America to disown the Northern Alliance have also been insisting we conclude the war quickly. But they can't have it both ways, and neither can we.

President Bush has declared that the "mission is defined, [the] objectives are clear." Yet the debate over what follows the Taliban has obscured those objectives. Indeed the war increasingly seems to be about the very catchphrase that candidate Bush insisted had muddled our missions in Bosnia and Kosovo: nation-building. The merits of that practice notwithstanding, in the Balkans the building took place after the war, not during it. Alas, the certainty that the United States can eject the Taliban whenever it pleases has led the Bush team to reverse the order. The resulting elevation of Afghanistan's best interests over America's wartime imperatives isn't only hubris; it's disingenuous. For behind the State Department's moral posturing is a crude realism, brought to us by the same Metternichs who, in the name of "stability," insisted that we not upset the Iraqi order during the Gulf war—and who now apply the same argument to Afghanistan.

But this isn't the Gulf war. It's a war fought in self-defense. And the preoccupation with secondary and tertiary aims, coupled with the absence of a clear intent to destroy the instrument of aggression, plainly undercuts its effectiveness. If Foggy Bottom intends to rebuild Afghanistan, fine. But first things first. A stable Afghanistan, after all, isn't the point of this war. A stable America is. And, more than anything else, Americans need a victory. ■

Jerusalem Dispatch

Civil Right

By Yossi Klein Halevi

On the surface, the similarities between the late extremist rabbi, Meir Kahane, and Rehavam "Gandhi" Ze'evi, Israel's tourism minister and head of the far-right Moledet (Homeland) party, are obvious. Both men advocated the abhorrent "transfer" of Palestinians to neighboring Arab countries; both headed radical, peripheral political movements. Both were murdered by Arab terrorists, Kahane eleven years ago in November, and Ze'evi this week.

But Israeli reactions to the two murders were drastically different. Kahane was mourned principally by his own followers, some of whom turned his funeral into an anti-Arab pogrom—a fitting send-off for a man whose Kach party advocated laws that would imprison Jews and Arabs who slept with each other, an unconscious mimicry of Nazism's Nuremberg laws. Ze'evi, though, was mourned by even his most bitter political enemies. "I'm devastated," left-wing Meretz leader Yossi Sarid told the Knesset, and he looked it. Kahane's death heightened our pathological divisions; Ze'evi's death exposed our commonality.

Partly the difference was cultural. Kahane was a religious fanatic from Brooklyn who never became, in spirit, an Israeli; he hated his left-wing opponents and advocated their murder. Gandhi—as everyone called him, a reference to the Arab dress he wore during the fight for independence against the British—was a war hero and a veteran of the pre-state military Palmach. Members of that elite fraternity, which included Yitzhak Rabin, never stopped loving each other no matter what their politics, as Rabin's daughter, Daliah Rabin Pelissof, put it. Kahane raged and incited; Ze'evi's tone was alternately didactic and weary, as he tried to explain truths that were obvious to him but eluded the rest of us.

Another difference was ideological. Ze'evi certainly had a dark side. He once denounced former U.S. Ambassador and Oslo stalwart Martin Indyk as a "Jewboy"—a self-hating Jew—and accused former President George Bush of anti-Semitism. Still, he knew how to remain politically respectable, if just barely. Unlike Kahane's Kach, Ze'evi's Moledet wasn't banned by the Knesset. It stayed legal by advocating not expulsion, but rather "voluntary transfer"—by which he meant active government encouragement of Palestinian emigration. (Ze'evi was careful not to include Arab citizens of Israel in these travel plans.) Kahane's ultimate motive for transfer was to purify the Holy Land of its non-Jewish presence. Ze'evi, though, was more fatalist than fanatic: If two rival peoples couldn't coexist in the same land and if, as he passionately believed, a return to the 1967 borders would mean the end of Israel, the only solution was for the Palestinians to leave. "They have twenty-two states, and we have only one homeland," went the Moledet slogan. According to

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Ze'evi's left-wing friends, he didn't hate Arabs: He had better relations with some Arab Knesset members, noted Meretz parliamentarian Ran Cohen, than did many peaceniks.

Ze'evi embodied the politics of emergency. For him, Israel's reality was still 1948—a country vulnerable and besieged. And so he looked to that time for solutions. If David ben-Gurion could endorse transfer in 1948, he argued, why not us? "He fought in the War of Independence and continued to fight for independence," eulogized Moledet Knesset member Benny Elon, "because he knew we could lose it. Others may have given up their vigilance, but not Gandhi." His trademark, which hung over his shirt, was a metal dog tag imprinted with the names of four Israeli MIAs—a symbol of his perception of himself as permanently mobilized.

Through the 1990s, as Israel shed its identity as a besieged nation, Ze'evi found himself increasingly alone. His party never won more than a handful of Knesset seats; the mainstream rightly repudiated his politics as delusional and repugnant. Yet in the last year, Ze'evi's sensibility, if not his policies, has come once again to define the Israeli psyche. When Israelis try to explain the experience of this year of violence, they say, "It feels like 1948." Ze'evi lived long enough to stop being an anachronism.

Ze'evi's obsessive theme was resisting American pressure for territorial concessions, and he ended his career on that note. His final public act was to resign, two days before his murder, from the unity government—denouncing Sharon for acceding to Washington's pressure to withdraw troops from a neighborhood in Hebron where Palestinian snipers had recently fired into a crowd of Jewish pilgrims at the Tomb of the Patriarchs. (His resignation wasn't to take effect until the afternoon of his murder, so he died, that morning, a cabinet minister.)

But in death Ze'evi may achieve what he failed to accomplish in life: distancing Sharon from Shimon Peres and nudging the prime minister to the right. The Israeli policy of targeting terrorists will almost certainly intensify. That policy has widespread support: Most Israelis understand the difference between killing terrorists who are planning their next atrocity and murdering a cabinet minister in a democratically elected government. And Sharon is now far less likely to go along with the charade of Yasir Arafat as anti-terrorist.

The Bush administration—which expects Israel to continue negotiations with Arafat as if nothing had changed—is badly underestimating this country's trauma. However different the circumstances, the first murder of an Israeli cabinet minister by a Palestinian can't help but recall the Rabin assassination, a reminder for Israelis of the fragility of democracy in the Middle East. Arafat's predicable arrest of terrorists following Ze'evi's murder—to be followed inevitably by their quiet release—won't be passed over here in silence. And the profound grief and rage among Israelis across the ideological spectrum could make it easier for Sharon to resist American pressure and fulfill at least that element of Gandhi's grim vision. From abroad Ze'evi may appear merely peripheral and unpleasant, but his place in the Israeli psyche runs deep: Custodian of the spirit of 1948, he has become a symbol of that spirit's vulnerability, and of its surprising rebirth. ■

Conservatives v. capitalism.

For Richer

By Jonathan Chait

Do economic conservatives really believe in the unadulterated free market, or do they believe in the interests of the rich? Usually it's hard to tell. Since the two imperatives often go hand in hand—unregulated capitalism naturally produces great inequality—the distinction between supporting laissez-faire and supporting the wealthy is usually invisible. But from time to time an issue comes along that pits one against the other, creating a kind of natural experiment to distinguish supporters of laissez-faire purity from supporters of the affluent. One such experiment occurred last month with the airline bailout, when conservatives in Congress decided that airline workers threatened by market forces—that is, laid off—did not require help, but airline companies threatened by market forces did. When forced to choose between their cherished economic doctrines and the interests of the affluent, conservatives—or at least the ones who hold power in Washington—chose the latter.

Something similar is happening as Congress crafts legislation to alleviate the feared recession. At first, in the immediate aftermath of September 11, President Bush seemed to hew to a bipartisan path, agreeing that any anti-recessionary measure should consist of temporary tax cuts and spending for the economically afflicted. But conservatives in Congress immediately complained that Bush was caving in to big-spending Democrats, whose left-wing populism stood in the way of sound economics. "I understand that if we've got fifty billion dollars, that we're going to have to spend at least half of it on things that have nothing to do with stimulating the economy as a 'tribute,'" groused GOP Senator Phil Gramm. "But to save my life, when I listened to [Democratic] Chairman [Max] Baucus's list, it's all tribute and no stimulus." House Majority Leader Dick Armey charged that "the Democrats will write an income-redistribution bill" and added, "I don't think they can find a reputable scholar in America who will say that's as effective as cutting taxes and inspiring investment." In this telling, liberals are primarily concerned with the overall distribution of wealth, and conservatives are simply following basic economic logic. It just happens—sigh—that this logic requires them to give big tax cuts to the rich.

The truth is exactly the opposite. Washington conservatives are actually driven by an overwhelming interest in wealth distribution—even when that interest leads to gross economic mismanagement. And, in the case of the stimulus bill, their solicitousness for the rich has led them to oppose the utterly uncontroversial fiscal steps most likely to forestall a recession.

Economists don't agree on what causes recessions, but they do agree on what happens as a result: People grow pessimistic about the economy, which causes them to stop spend-

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ing money, which makes the economy even worse—and on and on, in a vicious cycle. Economists also agree that the fiscal solution—should there be one at all, which is far from unanimous—is simple: Get people to spend more money.

There are two ways Congress can do this: raise spending or cut taxes. In the current debate, congressional Republicans maintain that any stimulus package should consist entirely of tax cuts, with no new spending. Does this have anything to do with economics? Not really. True, spending on infrastructure doesn't help fight most recessions. To construct, say, a new building, the government has to solicit bids, have plans drawn up, and by the time the cement gets poured, the slowdown will probably have ended. (This hasn't stopped some liberals from seizing on the recession to propose gigantic new construction programs, although fortunately such notions remain consigned to the fringe of the Democratic Party.) But other types of government spending enter the economic bloodstream much faster and can therefore help stave off a recession. To hand out new benefits to laid-off workers, for instance, all the government has to do is cut some checks, which it can manage pretty quickly. (This is what Congress declined to do for the laid-off airline employees.) But conservative dogma forbids even such usefully stimulative spending.

It is also true, of course, that tax cuts can make people spend money. But only certain kinds of tax cuts. The rebate checks included in the big tax cut passed earlier this year, for example, seem to have done little for the economy. (According to a University of Michigan consumer survey, people spent less than $1 in $5 of their rebates.) The one thing virtually all economists agree on is that the key to spurring spending is giving money to workers with low incomes because they spend the highest proportion of their incomes. Common sense, and a stack of economic studies, tells us that those who live hand-to-mouth save the least of any group. And so Democrats, and some Republicans, have proposed sending a second round of rebate checks to workers with incomes too low to have qualified for the first round.

Alas, this also runs afoul of conservative doctrine. Gramm recently sneered that this would constitute "giving tax cuts to people who do not pay taxes." (In fact, low-income workers pay excise taxes, payroll taxes, and sales taxes, among others.) Republican leaders may accede to a low-income rebate, but only as the price for getting the tax cuts they really want. The primary income tax cut sought by the Bush administration would cut the 28 percent tax rate to 25 percent. This would benefit only the best-off 25 percent of workers, virtually ensuring that little of it is spent.

In addition to preferring tax cuts over spending, and tax cuts targeted to the well-off over tax cuts targeted to the needy, the congressional Republicans have expressed a third preference that flies in the face of economic logic: permanent tax cuts over temporary ones. Here the problem is not only that permanent cuts continue to drain government revenue long after the threat of recession has receded, but also that permanent cuts—at least when it comes to business—are less effective at stimulating the economy than temporary ones.

Both parties, for instance, support some kind of tax credit to encourage business investment. After all, during a typical recession, not only do consumers stop buying goods, but businesses also stop buying equipment. The solution proposed by Republicans is permanent tax breaks for business investment. But these would have a limited impact. The reason businesses aren't buying equipment now is because the economy is lousy. If you offer them a permanent incentive to invest, their calculation changes very little: If they can still get their tax credit after the economy turns around, they might as well wait it out. By contrast, if Washington offered a tax break for new investment *over the next year only*, it would give businesses a significant incentive to invest now, when their actions might help prevent a recession. This is pretty uncontroversial among economists. Even Glenn Hubbard, the chairman of Bush's Council of Economic Advisors, wrote as much in a paper he co-authored five years ago: "Temporary investment incentives can have even larger short-run impacts on investment than permanent investment incentives."

To be fair, there is a perfectly respectable conservative argument that fiscal policy is too slow and clumsy to fine-tune the business cycle, so Congress should stay out of it altogether. Indeed Hubbard's paper takes just this position. If that's what Republicans believe, though, then they have no particular reason to pass their tax cuts now, as opposed to a year or two down the road. (Indeed, given the emergency expenditures needed in the wake of the attacks, they should defer nonstimulative tax cuts in the short term.) But Bush and the GOP haven't made that case. The explicit rationale for their wish list of tax breaks is their potential to remedy a recession. Bush has made the classic business-cycle management argument. "The best way to stimulate demand," he stated earlier this month, "is give people some money so they can spend it." Unfortunately for Bush, that doesn't happen to be the best way to transfer income to the rich. Which is what economic conservatism is actually all about. ■

Earley peddles fear—and fails.

Stumped

By Jason Zengerle

On the morning of September 11, Virginia's Republican gubernatorial nominee, Mark Earley, was sitting in a hotel conference room in Richmond, meeting with his political strategists. In the midst of reviewing his campaign's game plan for the race's eight-week homestretch, one of Earley's consultants—who was participating in the meeting from his own office via telephone—interrupted the proceedings to report the horrible scenes he was witnessing on his television. Over the speakerphone, to the now hushed room, the consultant narrated the unfolding events, culmi-

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nating with the gasp: "Oh my God, the second tower is gone." With that, Earley promptly ordered his campaign to suspend operations: Appearances were canceled; fund-raisers featuring Vice President Cheney and President Bush were called off; TV and radio ads were pulled from the air. Earley's Democratic opponent, Mark Warner, did the same.

But, after a few days, Earley and Warner returned to the stump and their ads returned to the air. At first the restarted campaigns were nearly identical: Both candidates ran patriotic, flag-waving ads and rolled out new anti-terrorism and emergency management plans. It wasn't long, though, before the two took on decidedly different tones. While Warner continued to acknowledge the events of September 11, he returned to the issues—primarily education and the state budget—that he'd campaigned on before the attacks. Earley, by contrast, talked about almost nothing except September 11. Pronouncing that "public safety is the most important and primary responsibility at every level of government," he touted his three and a half years as the state's attorney general and his ten years in the state senate. He proclaimed that his party affiliation—the same, of course, as President Bush's and Virginia's current governor (and Republican National Committee chairman), Jim Gilmore—was now a crucial asset, since "[w]e need a team of consistency in these troubled times. I don't believe now is any time to be shifting in midstream, at a time of national crisis." He even gave the typical "Democrats are tax-and-spenders" charge a 9/11 twist, declaring, "In these uncertain times, families are worried about their financial security," a security Warner would put "at risk."

Of course no politician running for office this November can ignore the events of September 11. And none of them—from the New Jersey gubernatorial candidates to the New York mayoral hopefuls to aspirants for municipal office around the country—has. But most, like Warner, have limited themselves primarily to expressing bipartisan support for the administration before returning to their original campaign themes. (These are, after all, candidates for *state* and *local* office.) But Earley has tried to turn the terrorist attacks into a partisan wedge issue. So, even as officeholders around the country are trying to allay public fears, Earley is stoking them for political gain. The good news is that, so far, it's not working.

EVEN BEFORE SEPTEMBER 11 Earley's campaign had been notable for its sleaziness. Faced with a stridently centrist, multimillionaire businessman as his Democratic opponent, Earley had resorted to a variety of smear tactics. He questioned Warner's business acumen by pointing to the four ultimately unsuccessful companies that one of Warner's venture capital funds had supported. Never mind that Warner has made enough successful investments to amass a $200 million fortune. As for Warner's moderate views, Earley simply distorted them. One mailing sent out by the Virginia GOP in August lumped in Warner with two other, more liberal, Democrats seeking statewide office, declaring that the three "have extreme liberal views on issues ranging from higher taxes [and] gay marriages to ending the death penalty." But Warner has announced his opposition to higher taxes and same-sex marriage, and he supports capital punishment. The same flyer declared that Warner—who is so pro-Second Amendment that the National Rifle Association has thus far stayed neutral in the race—"supports new gun control laws."

Despite the smears, Warner remained in the lead: A pre-Labor Day poll in *The Washington Post* found him trouncing Earley by eleven points. But then came September 11. Earley's aides insist that their candidate is not exploiting the terror attacks. But Anne Kincaid, an Earley strategist, acknowledges that the attacks have been politically beneficial. "It's certainly helped highlight Mark Earley's stellar fourteen-year record of being a leader in public safety in Virginia, and being a leader in keeping the financial security of Virginians intact," she says.

That "highlighting" has involved plenty of work by the candidate. Consider Earley's campaign appearance last week in the Shenandoah Valley, where he addressed a Harrisonburg Rotary Club luncheon. As the Rotarians filed into the banquet hall, a campaign worker handed out glossy flyers that bore Earley's new, post-9/11 slogan, "BECAUSE SOME JOBS ARE TOO IMPORTANT"—a not-so-subtle dig at Warner, who has never held elected office.

In his speech Earley framed his entire candidacy in alarmist, post-9/11 terms. First he declared that it is "an absolute and immediate priority for the next governor of Virginia that we focus on the safety and security of our citizens." After all, he noted ominously, Virginia, with its military installations and high-tech companies (not to mention its "roads, tunnels, bridges, [and] ports"), is a "target-rich state" for terrorists. Schools too were now a matter of urgent concern. "We have focused on school safety before from the threat of a renegade child or a renegade person in the community," Earley said, "but we're going to have to look at it in a broader perspective now in this international war on terrorism." And, of course, Earley cast his efforts to keep taxes low as an integral part of this war as well. "On September [11] our economy was attacked," he explained. "We saw the stock market plunge six hundred points in one day, a drop of eighteen percent in the first ten days, we had over two thousand people laid off in Northern Virginia because of the closing of Reagan National Airport.... [W]e've got to make sure that we stimulate this economy. We have a plan to invest in transportation, to invest in higher education, without raising taxes."

BUT THE ROTARIANS didn't buy it. When it came time for the question-and-answer session, they ignored virtually everything Earley had said and asked instead about smart-growth policies and whether Virginia's junior senator, George Allen—who introduced the candidate—could coach the woeful Redskins. Earley seemed to brighten when one Rotarian began his question by saying, "In regards to the 'Greatest Generation'"—which Earley had mentioned in his speech—but the candidate turned downcast when the Rotarian wanted to talk about health care costs for seniors. (Before Earley's speech, I had asked a handful of Rotarians whether they thought the Virginia governor's job had been changed by

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the September 11 attack. All said no.)

It's not hard to figure out why Earley's fear-mongering didn't work: Out in the bucolic Shenandoah Valley, September 11 and the war on terrorism seem a world away. And even in Northern Virginia, where dense suburbs and proximity to Washington presumably create greater anxiety about terrorism, Earley's scare tactics probably won't work, since those same demographics give Warner a big edge. Indeed while polls show the governor's race has narrowed since September 11—and one poll actually puts it at a statistical dead heat—most give Warner a comfortable five- to nine-point lead. Even worse for Earley, his campaign was dealt a cruel blow late last month, when the Virginia Professional Fire Fighters—which represents some of the firefighters who responded to the attack at the Pentagon—threw their support behind Warner. Evidently the heroes of September 11 don't want it exploited for political gain either. ■

How to rebuild New York.

Superior Complex

By MOSHE SAFDIE

THE DEBATE OVER what should replace the World Trade Center pits two impulses against each other: the impulse to rebuild, as an affirmation of our optimism, and the impulse to perpetuate emptiness in the name of remembrance, by turning the area into a memorial park. Neither alternative is a satisfactory response to the tragic vacancy in the heart of New York. The emptiness alone would allow the terrorists to permanently erase a place full of life and energy; rebuilding alone would be disrespectful to those who died. We must therefore build, and also not build, affirming life while remembering the dead.

The footprint of the two Trade Center towers, each measuring 208 feet square, should be declared sacred ground; literally and metaphorically a cemetery for the 6,000 who died. No great artist commission is necessary, not even remnants of the towers' charred steel frame. Rather, simply arranged on the two squares of land should be a stone for each person, with his or her name carved upon it, set in a meadow. The rest of the site, including the surrounding damaged buildings, should be rebuilt as a vital, diverse complex of business, culture, and residences—a model of the values we cherish in our cities.

Were it even practical to rebuild the complex exactly as before, as some propose, such a project would ignore the cultural wisdom we have acquired since the early 1970s, when the towers were completed. The towers were conceived in the Formalist tradition—Formalist meaning that a single underlying concept of design takes precedence over all other environmental and programmatic requirements. Symbolism takes precedence over human needs. And so it was that the two extended obelisks, the tallest towers ever built at the time, equated height with power (in the tradition of Babel), without deference to the activities within them. Because of their height, their outer walls were made up of closely spaced columns giving them an almost solid appearance. From within, the buildings lacked transparency, light, and view, the very qualities we seek in a high-rise environment. Walking in the plazas and streets nearby, the towers were more overwhelming than they needed to be.

MUCH HAS BEEN written in recent days about the need to replace this Formalism with "a progressive architecture" and, in tribute to the dead, "a humanist architecture." But it's not often clear what people mean by "progressive" or "humanist," or how they propose to achieve it. Surely progressive does not simply mean up-to-the-minute, fashionable geometric configurations. Rather, the new complex must be a vital urban place, enhancing our understanding of publicness. Public spaces (piazzas, boulevards, and gallerias)—almost taken for granted from classical times to the nineteenth century—require good access, a diverse center that draws a variety of people for a variety of reasons and at various times, and a comfortable setting with good micro-climate, shelter, and sunlight. These have proven difficult in the twenty-first century because of the congestion, vehicular traffic, and privatization of space in our cities.

To achieve this ideal publicness, the new high-rise complex must be an inspiring place for work and for living, sensible in its use of resources and materials. Giant undifferentiated floor plates where only 10 percent of the workers sit by a window while the majority spends the working day in artificial light are depressing, so buildings with smaller footprints should be designed. And when thousands are concentrated in towers, garden-like spaces should be provided for relief and amenities. Moreover, for safety as well as for convenience, the towers should not be isolated from each other, but connected at several levels. These connections should be structural—able to transfer wind, earthquakes, and other shock stresses—in addition to providing pedestrian bridges that connect one tower to the other, perhaps every 15 floors. The crossover levels would become natural locations for hotel lobbies, conference centers, gardens, health clubs, and the like. They would facilitate contact between related businesses and departments, and multiply the options for emergency exiting.

The new complex should also improve efficiency. It should consist of a number of towers, probably four or five. They should not be 100-plus stories, since towers of this height require disproportionately more space for elevators and stairs and take away from usable space. Instead a cluster of towers should measure 50 to 60 stories. That would also allow the structures to be built from concrete, which is more

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fireproof than even the fire-protected steel of the Trade Center. Moreover, ingenious designs have demonstrated that incorporating natural ventilation and sun control can greatly improve the energy efficiency of sealed towers, which normally bake in the sun, require vast quantities of air conditioning, and rely almost entirely on electric lights.

The towers' primary use, as workspace, should be complemented by residential and hotel uses. Vertical zoning should devote two-thirds of the buildings to offices, crowned by floors of apartments and hotels. Mixing these uses within towers offers many advantages; in particular, it creates high-level residences with views. It can also result in an extraordinarily beautiful silhouette on the skyline, because residences that crown tall buildings lend themselves to delicate sculpting. On the lower levels should be retail, cultural facilities, and indoor and outdoor public spaces, designed to connect to and reinforce street life rather than siphoning public life off the streets. Furthermore, the presence of residences downtown would contribute to nighttime and weekend activities, overcoming the evening and weekend abandonment from which the area suffered.

These solutions may sound, in their details, mundane. But the resulting architecture—with the cemetery at its heart—could be transcendent. Any rebuilding at the site of the World Trade Center will be, by definition, fraught with symbolism. People will question meaning and seek expression in every element of the design. Still, it is precisely because symbolic associations abound that the rebuilding must progress beyond the business-as-usual architecture that it will replace. Now, more than ever, downtown New York must represent the best that a free and undaunted society can conceive. ■

Front Royal Dispatch

Zoned Out

By MICHELLE COTTLE

ELECTRIC RAZOR IN hand, barber Jane Hill offers up her prescription for personal safety in these tense times: "I think all women oughta carry a cell phone and a three-fifty-seven. *Loaded.*" Everyone else at the Royal Barber Shop here in rural Front Royal, Virginia, bursts out laughing. Smoothing the near-bald pate of the customer occupying the shop's second chair, barber Marlene Daniels (Jane's older sister) recounts in disbelief a "20/20" episode her daughter recently saw about the run on anthrax medication. "That blew my mind," she says. The others murmur in assent. It's not that the locals are making light of the fear and anxiety that increasingly reign less than 70 miles up the road in Washington. But clearly they do not share it. "Nobody around here seems really stressed," says Hill. "I haven't heard one person express anxiety, have you?" (No's all around.) Indeed the prevailing sentiment around town is perhaps best described by patron Danny Mason: "What's gonna happen is gonna happen.... I'm not losing any sleep over it."

Heading into Month Two of America's war on terror, with anthrax threats (both real and imagined) multiplying by the hour, the papers are filled with stories about anger and sadness turning to fear. We're sleeping less, hoarding bottled water and canned goods, scrutinizing each new mosquito bite for the telltale black scabs of anthrax contamination. Gas masks are flying off the shelves, and Cipro has toppled Viagra as the drug du jour. Each new day seems to bring yet another *New York Times* piece about some poor souls in Oregon or Kentucky who are positively paralyzed with fear. "AS INVESTIGATION WIDENS ACROSS USA, SO DOES FEAR," warned a recent *USA Today* headline. Or, as Jonathan Yardley lamented in a recent *Washington Post* column: "No doubt people in small towns of West Virginia and Wisconsin feel the same vague, gnawing, enervating sense of dread that afflicts those who live [in New York and Washington]."

Well, not exactly. As the folks in Front Royal make clear, not everyone is trembling as they check their mailbox. In fact, as much as we've heard from politicians and the press about the ways the terrorist attacks have united us as a nation, they've divided us as well. Empirical evidence is hard to come by, but what little there is suggests a substantial Fear Divide in the country, between those Americans (overwhelmingly located in big cities like D.C. and New York) seriously worried about their personal safety and those (located pretty much everywhere else) who are not.

PERHAPS NOWHERE is the hysteria greater than at the nation's news organizations—understandable considering the apparent anthrax attacks at American Media, ABC, and NBC. Here at THE NEW REPUBLIC, as elsewhere in the Washington press corps, Cipro is plentiful and mail is handled gingerly, if at all. Everyone is on edge and the rumors spread faster than smallpox. Just hours after reports of anthrax at NBC, a colleague from *The Washington Post* e-mailed to say he had heard that TNR was evacuating its offices. (I'm always the last to know.) On the streets people visibly tense up at the sound of a police siren or low-flying helicopter.

In New York, meanwhile, stores have been ordering gas masks in bulk, and pharmacies have started limiting the amount of antibiotics one person can purchase. Nor is Cipro the only chemical security blanket in demand. According to NDCHealth, a private health care information services company, requests for anti-anxiety drugs have also shot up since September 11: New prescriptions for alprazolam (generic Xanax) are up 22 percent in New York and 12 percent in D.C. over the same period last year; new prescriptions for lorazepam (generic Ativan) rose 19 percent in New York and 16 percent in D.C.

Anti-anxiety prescriptions have seen an uptick nationwide as well but by far smaller margins. And polls have shown big-city dwellers to be decidedly edgier than their suburban and rural counterparts. In Front Royal it's not hard to figure out why. "Living out here you feel a little safer—like you have a buffer," admits Danny Mason. "I don't feel like I'm gonna get anthraxed or like my house is gonna get blown up." In fact none of the folks who drift into Jane and Marlene's shop

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"The illegal drug trade is the financial engine that fuels many terrorist organizations around the world, including Osama Bin Laden."

House Speaker Dennis Hastert[1]

- The United Nations reports an illegal drug trade worth $400 Billion a year[2] — $100 Billion more than our Department of Defense budget.
- Drug trade is big business: Illegal Drugs are 8% of all international trade while Textiles are 7.5% and Motor Vehicles are 5.3%.[3]

We do not purport a direct link with the tragedies of 9/11. But as part of the battle to defeat terrorism and strengthen our society, ask yourself:

- Is the funding of terrorism another unintended consequence of drug prohibition?
- Could a regulated and controlled model for soft drugs similar to our approach with alcohol and for hard drugs similar to prescription drugs stop the flow of illegal drug profits?
- In so many ways, does the War on Drugs cause far more harm than good, both here and abroad?

Kevin B. Zeese, President, Common Sense for Drug Policy
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Sources:

1: Associated Press, "Hastert Forms Task Force on Drugs," September 21, 2001.
2: United Nations Office for Drug Control and Crime Prevention, "Economic and Social Consequences of Drug Abuse and Illicit Trafficking" (New York, NY: UN Drug Control Program, 1998), p. 3.
3: United Nations Office for Drug Control and Crime Prevention, "Economic and Social Consequences of Drug Abuse and Illicit Trafficking" (New York, NY: UN Drug Control Program, 1998), p. 3.

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express one whit of concern about their personal safety. "It doesn't bother me," says Norman Ricci. "I'm more interested in getting and killing him" (bin Laden, of course). And anecdotal evidence suggests that this mood is far more typical nationwide than the borderline panic evident in New York and Washington. In a decidedly unscientific poll of friends and relatives—and friends of relatives, relatives of friends, and friends of friends—from Tennessee to Texas to California to Montana to Hawaii, most people did not express anxiety about their personal safety. If asked whether they're worried about further terrorism (a common question posed by pollsters), they of course said yes. What sane person isn't? But they're mostly concerned about the state of the union in general or what all this will do to the economy or the safety of friends in New York and Washington. I couldn't find anyone who was having trouble sleeping, worrying about bacteria-laden envelopes, or altering her daily routine. ("There's a general feeling of relief," said one Montana resident apologetically. "People are saying, 'We knew there was a good reason to live out here.' ") As for whether anyone had purchased gas masks or anthrax-fighting antibiotics, the response I most often received was, "You're kidding, right?" One friend practicing medicine in North Carolina said a couple of older patients who winter in Florida had asked about Cipro, and she had fielded a few calls from people wanting information about "Amtrak disease," but, by and large, things were pretty normal. A Washington colleague says that although her relatives in Indiana keep a close eye on the news and say they're worried, "it's as though they're watching all of this on TV." Which, come to think of it, they are.

In Front Royal some folks aren't even doing that. "I gave away my TV a long time ago," says Hill. "But even if I still had it, I sure wouldn't sit around in front of it all day wringing my hands." The others agree vigorously. "They need to quit showing that airplane flying into the World Trade Center," says a white-haired gent in a bright blue windbreaker who asks to be identified simply as "an anonymous old man." "And every time I turn on the radio I'm listening to an interview with the family of one of the victims. 'Do you miss your husband?' " he asks, in mock interview style. " 'Hell no! Glad he's gone. Now where's that insurance policy?' " The entire shop cracks up. A warm breeze floats through the screen door, and as I listen to the soothing buzz of dueling razors, my thoughts drift back to the TNR office, where my colleagues are doubtless swapping rumors and comparing antibiotics prescriptions. I really should be heading back now. The editors will be yelling for my article. I need to get back and write. Maybe after lunch. ■

Why America isn't ready for bioterrorism.

Under Control

By SHANNON BROWNLEE

SOMETIME DURING THE summer of 1918, an influenza virus that had recently swept through the United States and Europe evolved into a far more virulent organism. World War I was still underway when the first case of the new flu was reported in America, at Camp Devens near Boston. Within days new victims had appeared in military bases up and down the Eastern seaboard. By the time the virus hit America's cities, public health officials knew they were dealing with no ordinary strain of influenza. Young, healthy adults could feel fine at breakfast, spike a fever of 104 degrees at dinnertime, and be dead by the next morning. Morgues overflowed and cities resorted to mass burials when they ran out of coffins. Public health officials instructed citizens to wear gauze masks, which did little to block contagion. More effective were orders to shut down public gatherings. Officials closed schools and theaters, then stores and bars, and finally even churches. With the sick and the well alike confined to their homes, the virus finally burned itself out, but not before it had killed more than 600,000 Americans.

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Needless to say, medicine is better equipped to handle such epidemics now. In 1918 hospitals could do little more than keep influenza victims comfortable until they either recovered or died. Today there are vaccines, antibiotics, even antiviral drugs to treat most illnesses—not to mention all the technological wonders of the modern hospital. And yet if America is better equipped medically, it is less equipped legally. In the early twentieth century officials had the power to issue and enforce the strict edicts on behavior necessary to combat a plague. And back then Americans put up with the infringements on their civil liberties. Today citizens are more wary of government, and health officials have lost much of their authority. And that's more than a little worrying, because the possibility of an epidemic spread by bioterrorism—be it smallpox, plague, or something else—suddenly seems a lot more real than it did just a few weeks ago.

Since September 11 many observers have noted that if the United States were hit with a biological weapon, our public health infrastructure would have neither the resources nor the speed to adequately respond. Nurses are in short supply. As a result of managed care, most hospitals don't even have the beds to care for the surge of patients during normal flu season, much less in the event of an epidemic. State depart-

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ments of public health still track cases of Rocky Mountain spotted fever—a potential biological weapon—by asking doctors to mail in green postcards. Only a handful have a telephone line that is manned 24/7.

In short, our public health infrastructure (as opposed to our medical knowledge) is scarcely better than it was in 1918. What is far worse, however—and has received far less attention—is our *public health law*. Lawrence Gostin, a professor of law at Georgetown University, has just completed a survey of the public health statutes in all 50 states. They are, he says, "hopelessly antiquated. They don't even come close to a modern, coherent, systematic approach to health powers. We would be lost in a bioterrorism emergency."

Ironically, one reason our public health law is weaker than it was a hundred years ago is that it's largely the *same* as it was a hundred years ago—but over time societal changes have rendered once-effective laws inadequate. In the late nineteenth and early twentieth centuries, each new disease—cholera, polio, syphilis, tuberculosis—triggered new legislation, granting public health officials specific powers to identify and test the sick, quarantine or treat them as necessary, and require the rest of the population to take preventive measures aimed at stopping the spread of infection. This disease-by-disease approach worked well enough, given the times and the crudeness of medical care, but it has bequeathed us a confusing patchwork of statutes ill-suited to modern threats. Anthrax, for example, can't be passed from person to person. As a result many states' communicable disease laws may not apply to it—which means commissioners might not be able to quickly shut down flights at an airport or stop trains from running if they suspect anthrax has been released. Similarly most state health commissioners can't automatically demand information about lab specimens sent out of state in part because the practice did not exist when the laws were written. Privacy laws enacted in the last two decades prevent public health commissioners from obtaining private medical records on an ongoing basis. They can't actively monitor an uptick in prescription medications, rates of absenteeism from work, or unexplained illnesses and, as a result, they can't always notice an uptick in certain infections. They often lack the power to obtain flight manifests and customer lists, which could be needed in order to track down citizens who have been exposed to an infectious organism. To be sure, state officials can always ask a judge for that authority. But by then it may be too late to prevent a small outbreak from becoming a raging epidemic.

It would be nice to think that in a real outbreak, the federal government could simply step in and take control. But the U.S. Constitution imposes strict boundaries between state and federal authority. That becomes a problem during an epidemic, especially one caused by bioterrorism. Under the Constitution, the federal government is responsible for protecting the nation from external threats, while states have primary responsibility for promulgating public health law and enforcing it. A bioterrorism attack, of course, straddles both jurisdictions. Thus the problem. "Let's say New York gets hit with anthrax, and ten thousand are infected," says Gordon Lederman, a lawyer in Arnold & Porter's national security law practice in Washington, D.C. "I can't see how it could not become a federal problem, because ten thousand casualties would tax a state government beyond its limits. But once that federal authority comes into conflict with other authorities, the question becomes who trumps whom, and in practical terms, who takes control."

THESE WORRIES AREN'T as hypothetical as they might seem. In May 2000 the Justice Department ran a simulated bioterrorism attack called the "TOPOFF" (for "Top Officials") exercise. In the simulation, representatives from the federal government and the state of Colorado grappled with an outbreak of *Yersinia pestis*, the bacterium that causes pneumonic plague. On Day One of the exercise, public health systems seemed to work fairly well. Imaginary patients began flocking to hospitals with coughs and raging fevers. As they began to die, state and federal labs quickly identified the outbreak as plague, then located the source as a bioterrorism release of *Yersinia* in the city's performing arts center.

By Day Two, however, events began spinning out of control. Nearly 800 imaginary cases had been reported, along with 123 deaths. State health officials instructed Denver citizens to stay at home and to avoid public gatherings, while the federal Centers for Disease Control and Prevention (CDC) recommended that the state close its borders to limit the spread of the disease. But hospitals were legally unable to prevent contagious patients from leaving, even as they were swamped with the "worried well"—people who were not yet infected but thought they might be. Public health officials soon found themselves rationing scarce antibiotics. Representatives from the state and city police, as well as the National Guard, told health officials they did not have the manpower to keep one million people from leaving their homes. By Day Three gridlock reigned as panicked citizens ignored the travel advisory and tried to flee the state. By Day Four, when the drill ended, the state was running short on food and medicine, and citizens were rioting.

Most ominous of all, nobody could figure out who was in charge. The FBI, which came in to hunt down the perpetrators, believed the state's attorney general was the highest authority. Others said it was the state health department. State public health officials were unsure if they needed a judge's permission or the CDC's before rationing medicine or closing borders. CDC epidemiologists had no authority to enlist state law enforcement. Decisions were made—or, more often, not made—by conference call, with dozens of participants. In the absence of clear chains of command, politicians quickly resorted to quarantine, the most extreme response. When police could not—or would not—enforce the quarantine, the public lost faith in government authority, sparking civil unrest. When rioting begins, says David Fidler, a professor of law at Indiana University, "The likely response becomes martial law, and then you are really moving toward the edge of the abyss."

A second simulation, carried out this summer at Andrews Air Force Base, proved equally bleak. Dubbed "Dark Winter," the exercise simulated a release of the smallpox virus in Oklahoma City. As the epidemic spilled over into surrounding states, members of the National Security Council argued with the Oklahoma governor, played by actual Governor

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Frank Keating, over whether to federalize the National Guard. By Day Twelve of the exercise, cases were scattered around the globe, the epidemic was out of control, and the nation's vaccine supply was exhausted.

FORTUNATELY THESE EXERCISES have prompted some much-needed—if much belated—legal work. Chastened by the TOPOFF experience, the Colorado state department of health retooled emergency plans that were already in the process of being updated. In Washington, Lawrence Gostin is working furiously to complete model public health legislation at the behest of the national Governors Association, which demanded it on an expedited basis after September 11. Gostin will include in his legislation a list of powers, formulated earlier this year by the CDC, that public health departments need to combat a bioterrorism attack. For example, health officials must have subpoena powers to obtain private records from hospitals, pharmacies, and airline companies, plus the authority to enlist law enforcement. Gostin's proposed bill also gives officials the power to track the ill, ration medicines, and seize property—including cell phones—in order to keep citizens from jamming lines of communication.

And yet there remains one nagging question: Just how willing would Americans be to abide by such laws? As the government simulations made clear, responding to bioterrorism almost always means sacrificing some civil liberties because containing an epidemic requires gaining access to private information, seizing property, and, in the most extreme cases, using force to restrict movement and activity. And yet public health is an area in which Americans have, in recent years, forgotten that the public good sometimes comes before individual rights during times of crisis. Consider what happened in 1984 in Minnesota when the state department of health suspected an outbreak of western equine encephalitis. Carried by mosquitoes, the disease can cause lasting neurological damage in human beings; it can even be fatal. At the state's behest the Air Force dispatched planes loaded with the insecticide malathion, ready to spray the affected counties. But farmers and beekeepers objected that the spray would also kill their bees and got a judge to issue an injunction against the spraying.

Eventually the Minnesota Supreme Court overturned the order. But public health hasn't always triumphed, as anybody familiar with the ongoing fights over fluoridation of public water and compulsory childhood immunization can tell you. AIDS is another battlefield: Gay activists and public health officials clashed early in the epidemic, when authorities moved to close public bathhouses amid accusations that the measures weren't about blocking the spread of the virus but about shutting down gay sex. In the end the bathhouses were closed, but only after several years and thousands more infected. Meanwhile 20 years of court battles, over everything from notification of HIV status to compulsory testing, have left America's already antiquated public health laws considerably weakened and public health authorities deeply wary of ever infringing on civil liberties, even in a crisis.

Some of the so-called "super-confidentiality" laws surrounding HIV make little sense from a public health standpoint. In most states, for instance, citizens can refuse to be tested for HIV, even if knowing their status would help someone else, such as a spouse who has been potentially exposed through sex or a doctor who has been stuck by a needle. Only two states, New York and Connecticut, routinely test newborn infants for antibodies to the AIDS virus. The test gives doctors a chance to save the infants' lives, since early treatment with an antiviral drug may be able to knock out the virus. But most states do not routinely test babies for HIV for fear it would violate the mother's right to privacy (since only an HIV-positive mother can give birth to an HIV-positive child). Each year between 200 and 300 babies are born infected with HIV; routine testing could prevent at least some of them from contracting the virus.

In the case of AIDS there are reasonable arguments about the balance between privacy and public health. But in the case of an epidemic transmitted not by intercourse but by breathing, laws fashioned in response to HIV could prove disastrous. Most state health departments are barred from sharing data about an individual's HIV status with other states or with state law enforcement. And yet such information could be crucial if, say, there were an outbreak of smallpox, the most frightening weapon in the bioterrorism arsenal. The smallpox virus no longer exists except in two official repositories and in clandestine laboratories in at least three nations. The virus spreads through the air. You can catch it simply by standing close enough to an infected person to carry on a conversation. The sicker the infected person, the more contagious he or she is. People with compromised immune systems would be acutely vulnerable to both smallpox and the smallpox vaccine, the only means currently available to thwart the disease. They would also spread smallpox far more efficiently than most victims, because they would emit more viral particles with every breath, says Peter Jahrling, chief scientific adviser to the U.S. Army Medical Research Institute for Infectious Diseases at Ft. Detrick, Maryland. "Having a lot of immune-compromised people during a smallpox outbreak will be like pouring kerosene on the fire," he says. And yet thanks to HIV privacy laws and civil liberties statutes, quarantining such people—both for their own protection and everybody else's—would be almost impossible without cumbersome court orders or a declaration of martial law.

This isn't to say we should repeal all HIV privacy laws, which, after all, reflect a genuine concern about discrimination. But it does mean that the law should give public health officials authority to exercise extraordinary powers during times of crisis—and that officials at all levels should know what authority they have and when to use it. If we don't, says Terry O'Brien, former assistant state's attorney general of Minnesota, America may well experience real-life versions of the horrifying simulations in Colorado and Oklahoma City. "Either everyone will be frozen with fear and [be] unable to act," he says, "or we are going to overreact and start shooting people on the basis of mere suspicions." Most of us have no memory of a time when epidemics like the 1918 influenza outbreak killed indiscriminately. Here's hoping we don't have to experience a real outbreak before we realize that when it comes to public health, temporarily sacrificing a little liberty may be the price for staying alive. ■

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Jabal Saraj Dispatch

On the Road

By Elizabeth Rubin

We were stuck in the border zone between Tajikistan and Afghanistan—some 15 journalists from all over the world in a caravan of Russian Lada Nivas and Volgas, Land Cruisers, Mitsubishi jeeps, and minivans. For five hours, since setting out from the Tajik capital, Dushanbe, the caravan had been scattering dust squalls over fields of bursting cotton and parched earth. Down here in the border zone, though, the dust took on a different, unsettling aspect. We had a lot of time to notice because it was 5:10 p.m. and the Russian and Tajik border guards had closed their office at 5:00. The guards were still there, of course, but now there would be negotiations, payoffs, Tajik KGB bureaucracy. We spilled out of the cars into the sandy valley lined with Soviet barbed wire, wondering who was in charge. We exchanged anxious stories we'd heard from journalists inside Afghanistan—malaria, dysentery, lice, crabs, hepatitis, typhoid, astronomical expenses for vehicles, four to five days on mountain passes made for goats with rock-climbing shoes, sleeping on mud floors, ten to a room, no water, no electricity. "And there's no war!" said one American photographer. "And no stories," said another. We heard about TV crews encouraging the Northern Alliance, by whom most foreign media are protected, to fire off artillery for the cameras.

But then there was the disturbing dust: whitish, ashen, like wet, fine-powdered clay—like fallout, which is what made it so unsettling. It had the same texture, color, and disaster-zone quality as the ash that carpeted Liberty Plaza and enveloped firemen, policemen, and office workers as they fled from the crashing World Trade Center towers. Now here we were 6,700 miles away, a babble of newspeople urgently pressing our way into Afghanistan. At times the circus of it all, and the experience of being robbed blind by the Embassy of the Islamic State of Afghanistan and the "Afghan tours"—the Tajik minister of foreign affairs had never seen so many hundreds of dollars piling up on his desk as he doled out press accreditations and new visas at exorbitant rates—left us with a cynical aftertaste. But it was washed away by the memory of that ash. And by the latest BBC news highlights, broadcast across the sandy frontier from someone's shortwave: the one-month anniversary of the attacks on New York and D.C.; a third anthrax case, in New York; V. S. Naipaul receiving the Nobel Prize. The third was perhaps the most shocking, signaling that indeed there has been a seismic change in the world's political order.

After the news, a young Tajik man traveling with us asked me to describe what had happened that day. "And all those people in the buildings died?" he kept asking. And then he began to cry. As an American correspondent covering other people's wars for seven years, I've rarely if ever encountered a similar sympathy toward America. Nor can I remember anything like a fellow journalist typing an e-mail from someplace as remote as Afghanistan to tell his colleagues back home in New York, "[E]verything's pretty safe here, but please take care of yourself and promise to take your anthrax medicine religiously." Or the Irishman in our convoy who worked with an American TV company. He was a former army officer so neurotic about security that he wore his bulletproof vest. For a while, he shouted at dozens of us to turn off our flashlights so we wouldn't provoke Taliban sniper fire. But when he heard I was from New York, his demeanor changed from scorn to solemnity. "At least," he said, "you've got a reason to be here."

But he wasn't quite right: New Yorkers weren't the only ones with a reason. With us was an Afghan photographer, a short, funny man who had worked for the Associated Press in Kabul until the Taliban imprisoned him three years ago. They caught him photographing a site hit by Clinton's cruise missiles, one of them a former bin Laden lair. Leave forever or die, they told him. So he moved to Spain. Now he was on his way home for the first time.

Finally, a Russian officer appeared and the roll call began: drivers on one side, journalists on the other, and eventually we were shuttled down to the sandy shores of the Panj River. The border guards, middlemen of the Tajik and Afghan drug trade, boarded us and our gear onto a giant metal raft and ferried us to the Afghan shore. Dark shadows moved about, jeeps pulled up, men shouted, "Get in, get in, fifty dollars, one hundred dollars." An Afghan in fatigues offered me some homemade brandy hidden in a cup inside his army jacket for fear of Allah's gaze. I accepted and found myself waiting for a Russian colleague from Moscow, a known fixer for foreign journalists and a journalist himself, who was transporting hundreds of kilos of supplies to a TV crew in the Panjshir Valley, not far from Kabul.

As the cargo came off the rafts, the Afghan photographer pulled out a pile of 8x10 prints of Ahmed Shah Massoud, the Afghan general who became a legend first as a mujahedin commander fighting the Soviets and more recently as the leader of the Northern Alliance. Massoud was killed when two Arabs, posing as journalists and carrying explosives concealed in cameras, assassinated him two days before the

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September 11 attacks. The Afghan crew and guards kissed the photographs and stored them away, repeating Massoud's name over and over.

BY THE NEXT morning, Friday, I was in a Toyota pickup heading out with a Russian, an Austrian, and two Afghans to Massoud's land, the Panjshir Valley, looking for the frontline foot soldiers in America's war on terrorism. Massoud's hagiography was nearly complete before his murder, but as we moved deeper into Northern Alliance territory, his absence became more and more palpable. "He was our father," said an educated, English-speaking shop owner in Faizabad. A commander at the front lines just 22 miles north of Kabul told me, "We are also looking for a leader to fill this vacuum, and nothing is clear now."

We stopped for a few supplies at a bazaar in the border town of Hedjibourodin, which looks like an African desert town, with long, white stone walls along the avenues. Now it has been transformed into a campground for hundreds of news agencies and correspondents. But despite their presence, I still stuck out, a freak in a traveling carnival show. Within five minutes, scores of men were crowding in on our pickup truck to stare. Most men here don't have televisions, nor are they accustomed to seeing women walking the street without head-to-toe burqas. Six days later, when I finally bumped into a group of unveiled women in the garden of a commander's home, we embraced and pawed each other as if meeting long-lost family, though we were complete strangers. It was hard to leave them and go back to the male-only street.

By nighttime we reached Faizabad, the northern town that's home to the recognized Afghan president, Burhanuddin Rabbani, and was once a stopover for Marco Polo. Security services immediately stopped us and ushered us to the only hotel, they said, where foreigners could stay. But it turned out there weren't any rooms in that guest house, and we were taken to another, built near the side of a mountain over rushing river rapids.

Inside, by the window in my room, lay a small Afghan treasure, a 1998 diary of a former guest. It was his learning *journal—English sentences, notes about computer programs* in Dari (a dialect of Persian that is one of the main Afghan languages), instructions on writing humanitarian aid and business reports. The exercises of a man determined to make something of himself, the kind of man Naipaul mocked in his harsher works about the borrowed ambitions of men from the developing world. His pages read like found poetry, filled with Afghan history and the intrusion of "international community lingo." Here is just a sampling:

> "[Y]ou are like a winter's day; short, dark and dirty."
>
> "He expressed deep regret over the continuation of bloodshed in Afghanistan."
>
> "It was as pleasant a day as I have ever spent."
>
> "He is reputed the best engineer."
>
> "What would you do if you governed the world?"

Then came a list of vocabulary. "Assassinate, landslide, defect, project, bullet, enhance, vicious, raid, dissidence, war crime committed, radiation, combat, crude inception." Then a page of prayers in Arabic and the words in English: "To know Allah's will is our greatest treasure, to do Allah's will is our greatest pleasure."

WHETHER IT'S 25 years of war or the culture of the mountains, much of Afghanistan still sustains itself as people did in the Middle Ages. Each mountainside village is a tableau in shades of sand and gold, houses of smooth stone walls cobbled along the riverbeds, drying maize blanketing the rooftops. Yoked oxen pull wooden plows as they have since the wars of the desert tribes 2,000 years ago. You get to know the few other voyagers on the road at the travelers' lodges, mud and straw huts with smoky rooms where they serve tea and tud, a fruit filled with energy that the mujahedin carried around in bags to fuel their fight against the Soviets.

Trundling along the empty roads through the most spectacular mountains, valleys, rising-and-falling sand and mud formations, you begin to apprehend the full meaning of *inshallah*—if Allah wills it. If your car breaks down, you may not see another for hours, only donkeys and shepherds; night may fall. The debris of the Soviets' humiliating defeat, their tanks, armored personnel carriers, rockets, cluster bombs, have been absorbed into the unforgiving Central Asian environment of sand and wind. They form roadside reinforcers, jungle gyms for kids. Tank shells make vases or, lined up together, form the border of a walkway. The old Soviet stone and mud brick barracks were taken over by Massoud's men. Russian TV loves to air this historical detritus to remind the government of its past folly.

By the fourth day, our engine was miserable. Sometimes we had to get out and walk. We were just beginning to climb the 15,000 feet to the mountain paths, and our Toyota couldn't take any more. Neither could we, in our half-conscious, oxygen-deprived state. It was tempting to give in as we asked ourselves, "Where are we trying to get to anyway?" But the engine revived and our driver gave himself over completely to hashish, smoking it from dawn until way past midnight, for we were hardly stopping for breaks anymore. As we began our descent, back in the truck, Tahir, our jokester driver, put on my black Ray-Bans beneath his checkered black-and-white head cloth. Leaning back in his gray tunic and full beard, he turned up the Afghan love song of Ahmed Zahir, a popular singer killed in the 1970s, which had droned on for 40 hours. It was the only cassette we had and it was disintegrating in sync with the motor. He gripped the wheel, growled, howled, and pushed full speed ahead, flying over shards of the mountain. The Russian and the Austrian in the back were as giddy as children on a roller coaster ride. I had no feeling left whatsoever.

That night we pulled into a high-mountain guest house. A scruffy boy showed me the fresh trout he'd just pulled out of the river, but there wouldn't be any left for the guests, the owner said. Later they offered eggs, but those never arrived either. "Sorry, we just finished them," the owner said. The hyperactive young driver in the other pickup truck,

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which had been following our same journey, shook his head at my ragged hair and dust-encrusted clothes and said, "You shouldn't come here, you have such better accommodations in America." I was ashamed at my reply, but it was the sleeplessness. "Your men came to America. We had to come here." A stupid thing to say on several fronts, but he laughed anyway.

FINALLY, THE NEXT day, we began our descent into the Panjshir Valley, where our driver Tahir was born. Everywhere rivulets ran down the mountains, creating clusters of fertile grain and yellowing poplar ash and willow trees. As the landscape grew more fertile, it also grew more littered with war. Almost every home and shop had a black cross hung outside with white Islamic prayers scripted in memory of the fallen hero, Ahmed Shah Massoud. There were huge marble homes beside the river, built on the emeralds found in the Panjshir and probably on the heroin trade. It is said that the Taliban process the poppy and then sell it to the Alliance members in the Panjshir, who then transport it north to the ferry, then on to the Tajik border guards. The Massoud legends have reached their peak here in the valley, where a few working tanks are kept, along with Russian multiple rocket launchers and Russian MI8 helicopters. And, of course, war hospitals and prison camps where you can see Arabs, Chechens, and Pakistani prisoners of war dressed in black robes and white headdresses working the fields.

After dark we pulled into Jabal Saraj, the town closest to the front lines where Taliban rockets still could not reach us. In the center of town sits a compound that houses CNN, the ministry of foreign affairs, and the hotel quartering dozens of news teams. As I got out of the car to greet an old photographer friend with a flair for drama, he picked me up and spun me around. The crowd of 50 men became 100. It was dark and uncomfortable, and as I walked away, framed on either side by ten men, a radio crew put a microphone to my mouth and the reporter asked in his thick, French-accented English, "You just arrived? Did you see how those hundred men wanted to eat you?" "I'm new here," I said. "I know nothing. Interview someone else." But no, no, no, we just saw it and want to know how does it feel as a woman to have all these men about to eat you alive with their eyes. As a woman, we want to know how does it feel?

"*Je m'enfou.*" I don't care. "*C'est tout.*"

"*Merci beaucoup*," they said.

SIX DAYS AFTER setting out from Dushanbe, in search of the foot soldiers at the front lines of this new, twenty-first century war, I went to Bagram, where a friend introduced me to his uncle, a local commander. Outside Bagram village lies a sprawling airbase about 22 miles north of Kabul. It will be a strategic operations base if America tries to flush the Taliban out of the capital. For now, it is a tired front line of wrecked, rusting metal homes with their roofs blown off, and shell-blasted barracks built by the Russians. The Talibs control one half, the Alliance the other.

In a big, old, crumbling house with a handsome mosaic archway still partially intact, we found one of the foot soldiers, a boy who looked 17, dressed in a black corduroy tunic, with black eyes and curly hair, a hint of a mustache, and smooth olive skin. And, of course, a Kalashnikov. His name was Baba Saheb, and he's been fighting for five years, ever since the Taliban swept in, burned down his school, and he picked up a gun. He needed no training—his father, uncle, and brother had all fought in the wars of the past 25 years. And, as he said, every Afghan child knows how to use a Kalashnikov and an RPG.

Three years earlier, the front line came to his house and the Taliban swept north, forcing the Alliance to retreat from here. "Ahmed Massoud commanded us to come back, and three days later we had the Taliban soldiers encircled." Baba pointed to an open road heading east. There had been so many dead Taliban lining the pavement. He said, "Look, you can still see the Taliban turban hanging from the tree." A long, green fabric rose and fell in the wind. When I asked him what he thought of the American bombing of Kabul, he wasn't particularly fazed. "We're fighting to save our country from terrorists and Pakistanis, as we always have. If the Americans want us to help them fight terrorists, we will." The Americans' political alliance with the Pakistanis had little influence on Baba's thinking, for he knew where the Taliban got their main support.

We were standing on what was left of his roof, perched behind an aluminum chimney, looking at the Taliban on a roof not far away. And Baba's friend, Saizal, decked out in ragged mujahedin-wear—a black-and-white scarf wrapped over his head, a gray tunic over an argyle sweater, black Adidas—switched on his walkie-talkie and asked me, "Do you want to speak to one?"

"Talib," he called out. "Lungi, lungi, it's pakul." The two Afghan head coverings that will soon become a cartoonist's ready-made symbol for good and evil: The lungi is a Taliban turban; the pakul is a rolled-up wool khaki hat worn by the mujahedin and ordinary Afghans. A scratchy reply came back from the Talib: "I'm putting snuff in my mouth—I can't talk with you now." A few minutes later, a round of greetings and curses were exchanged, and Saizal said, "Hey, you're not Afghan." The Talib said, "I am. We're all Muslims, we are brothers, and anything you want we'll do for you." Saizal warned him gently, "Soon you will have to flee. Something is about to happen. So keep yourself warm." The Talib told Saizal that his commander was coming and the static stopped. "Why are you afraid of your commander, Talib?" Saizal mocked. "You see, I'm not afraid of mine." (Rumor has it that Taliban commanders have forbidden the holy warriors from using their walkie-talkies for fear they'll be lured into defecting to the Alliance side.)

For Saizal and Talib and Baba, these are the banal rituals of daily life in the trenches and along the rooftops around Bagram airport—a spot that has suddenly been lofted onto the world's stage as potentially one of the key strategic outposts in America's war on terrorism. One bearded man who has been sitting on his roof with his Kalashnikov has become the embodiment of evil, and the other bearded man who has been on his roof for years with his Kalashnikov now embodies the good fight. ■

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Stanley Kauffmann on Films

Sense and Sensibility

DAVID LYNCH ONCE said: "I don't think that people accept the fact that life doesn't make sense. I think it makes people terribly uncomfortable." This is a truth past question, I'd say, but how is an artist to make use of this truth? Lynch, whose directing and writing career glows with talent, has developed a mode that serves his perception. He devises films that seem sensible, sufficiently so as to engage us, and then he proceeds to subvert sense. Other artists structure their work in an order that itself pleases us and then use their order as an avenue to fundamental disorder. (There is no larger example than *King Lear*.) Lynch goes directly to the disorder without the seductions of order. Imagine Abstract Expressionist painting done with realistic figures, and somewhere in this oxymoron dwells David Lynch.

Take, for instance, the very opening of his new film, **Mulholland Drive** (Universal). A large car is moving along that drive, high above Hollywood. A man in the front seat points a pistol at a dark-haired woman in the back seat. He is presumably about to shoot her, when another car crashes into the first one and everyone is killed except the young woman. Who this woman is we never learn, although we subsequently see a great deal of her. Why the man wanted to kill her we never learn, or how she got the wad of cash in her bag. Our expectation that we will learn these things is exactly what Lynch is out to subvert. All he basically wants to do in this opening sequence is to evoke cinematic responses in us, familiar from film noir, as one might strike familiar chords on the piano that remind us of music we know but that are now plucked out of origin or progression. Sense is not the point: the responses are the point.

Then we see a blonde young woman named Betty arriving in Hollywood by air. She confides in an elderly couple whom she has met en route that she is going to try for an acting career, and they wish her luck. As the elderly couple leave in their limo, they exchange glances of wry compassion. (Much later, I might as well admit now, this couple, reduced to mouse-size, squeeze under Betty's door.) The would-be actress proceeds to an apartment that belongs to an aunt who once was in films. When Betty goes into the bathroom, she discovers the dark-haired young woman—a complete stranger to her—taking a shower. Betty phones her aunt, who does not know anything about the other young woman; but that woman is so dazed and helpless that warm-hearted Betty allows her to stay. When she asks the other woman her name, the reply, garnered from a glance at a poster of *Gilda* on the wall, is Rita.

The synopsis above distorts, because it suggests lively pace and progress in Lynch's style, which, to the contrary, is slow and pictorially inquisitive. He wants to explore sensually and imaginatively every frame he puts before us; he has a fine ally in the cinematographer, Peter Deming, and his real purpose is to provide Deming with related opportunities to realize Lynch's vision. In this respect, Lynch reminds me of Robert Wilson, the theater artist who uses the stage not as a dramatist, but as a painter uses a canvas, and who can fascinate us without an iota of traditional drama and sometimes no shred of theme—other than linked visual organisms.

A story of sorts follows in *Mulholland Drive*, including Betty's audition for a film role, a lesbian affair between the two women, eccentric visits to eccentric places. The film-industry sequences would be reruns of all the Hollywood satires we know, except that Lynch is never primarily interested in the satire; he merely wants those scenes, too, to float past us like toy boats on a stream. One of the eccentric visits is to a former film theater, now a club, where a woman sings a passionate American song in Spanish and faints before finishing, while the song continues. Much later, the film returns to this place to end there. The name of the club is Silencio.

Lynch has provided plenty of material for his oneiric, leisurely picture-making, enough to make a film of one hundred forty-six minutes, but no more of that material need be specified. In *Mulholland Drive*, as in such past films of his as *Wild at Heart* and *Blue Velvet*, Lynch challenges our expectations of narrative and credibility by luxuriating in something else—the unexplained, the making of no-sense that (he says) underlies life. Much of the comment on this new film traduces him by praising his ideas, as if the purpose of *Mulholland Drive* were to castigate Hollywood and to explore the characters of Rita and Betty along with others in the cast. Thus, in my view, they convert Lynch into a failure, because the Movieland stuff is stale and the characterizations are superficial. One of his purposes, I'd venture, is to leave such critical comment high and dry.

Besides Robert Wilson, another comparison. Rainer Werner Fassbinder spent much of his brief, prolific career in making films that attacked conservative structure. Some of them were jaggedly irresistible, but for me his chief achievements were his films *Effi Briest* and *Berlin Alexanderplatz*. This is not because these pictures were shot and edited in the traditional manner, not because they make obeisance at the altar of Loveliness, but because, like the Fontane and Döblin novels on which they are based, their traditional structures disclose most clearly the theme of much Fassbinder work: hatred of tradition, of bourgeois hypocrisies and cruelties. Lynch, too, has done work that is conventional in form and in loveliness. *The Elephant Man* dealt tenderly with a human being condemned to inhuman life, and became an assault on received ideas. Even more subtly and beautifully, Lynch's last film, *The Straight Story*, reached pure spirituality through an utterly vernacular lexicon. In most Lynch films, including *Mulholland Drive*, his very method is a rebuttal of the audience's expectation of sense. But for me, *The Straight Story* rebuts this expectation more powerfully because it reveals the insufficiency of traditions through traditional means.

Conference Note. On October 6, the Film Society of Lincoln Center, aided by HBO Films, held a public conference titled "Making Movies That Matter." The moderator was a film critic; the seven panelists were two political writers, two film producers, the former CEO of a big studio, and two directors—Oliver Stone and Raoul Peck, who made *Lumumba*. We were told that the conference had been planned long before September 11, but of course that black day gave the topic immense weight—and presumably led to the subtitle: "The Role of Film in the National Debate."

The conversation, though lively and sharp, soon devolved into the familiar film dilemma of profit versus gravity. However,

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all agreed that there was no excuse for any picture, no matter how worthy its intent, to be dull. I wished for someone to mention that the most politicized dramatist of the last century, Bertolt Brecht, had insisted that the theater's prime function is to entertain.

But it was the first part of the discussion, in which each panelist recounted the effect of September 11 on him or her, that contained the most memorable remark—one that, for me, hung over the whole discussion. Most of the speakers said that, as for many of us, that day had changed the world. Not Peck, much of whose life has been spent in Haiti and Zaire. He said quietly that the world had not changed for him. I took this to mean that the world he knows had long held precisely the view that the disaster had smashed into this country—namely that, for reasons that are not always incomprehensible, anti-Americanism is widespread, and terrorism, maniacal and murderous, is one result. Few Americans had been ignorant of these matters before September 11; few Americans had seen their proportions.

I couldn't help hearing Peck's remark as part of the conference topic. More American films are shown around the globe than those of any other country. This fact plus Peck's comment raised a parochial question in my mind to which I wish I had the answer. What—if any—is the connection between the views and attitudes in America's world-inundating films and the dislike of America in much of the world? ■

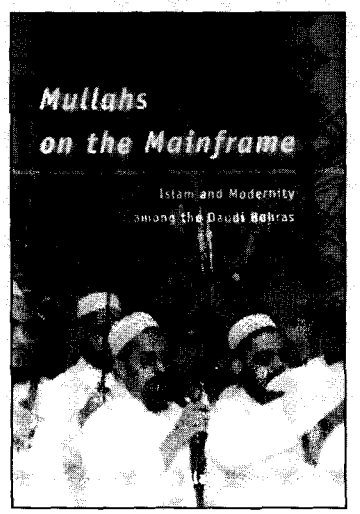
Jed Perl on Art
The Contrarian

"Thomas Eakins: American Realist," at the **Philadelphia Museum of Art**, is a blandly celebratory event. This artist, whose dark, vehement temperament and tough-minded verisimilitude made him an unsettling figure in his time, and who has continued to provoke contradictory reactions up till our own day, is given an evened-out presentation, as if he were a rather dull nineteenth-century worthy.

As visitors move through this salute to Philadelphia's most famous artistic son, they see the photographs that Eakins and his students took of one another, often after tossing their clothes in a heap, but these wonderfully unabashed images are presented almost nostalgically, as if they were nothing more than mementos of a dusty bohemian studio. And the scandals that Eakins provoked in the 1880s by removing the loincloth from a male model in the presence of women students at the Pennsylvania Academy of the Fine Arts register as little more than proto-countercultural exploits to set beside Van Gogh's madness and Gauguin's adventures in the South Seas. The installation in Philadelphia, with small photographs hung around larger paintings in an arrangement that is some kind of decorator's version of Victoriana, consigns Eakins's work to a chic fantasy past, since next to none of his photographs were shown in his time, and the idea of presenting paintings and photographs as equally engaging is relatively new. Eakins's search for absolute, empirical truth—which fueled his photographic studies and inspired in many of his paintings an almost anti-artistic kind of exactitude—ends up feeling hollow and old-fashioned.

Eakins was a complicated and anomalous figure—a man whose attitude toward art was at once academic and avant-garde. For much of the twentieth century, authors and artists as varied as Lewis Mumford, Marsden Hartley, Lincoln Kirstein, Clement Greenberg, and Fairfield Porter regarded Eakins as an artist whose resistance to anything easygoing epitomized America's essentially conflicted relationship with aesthetic experience. One could believe that the product of all this dissonance was a pinnacle of American achievement, arguing, as Kirstein did, that Eakins's "often dry, harsh, unappetizing" paint quality was among the tools essential to an artist who was "in search of a super-reality" and who "absorbed and mutated the accidental, editing chance into formidable permanent order." Or one could conclude, with Hartley, that "there is a heaviness about Eakins that seems almost irrelevant in the field of picture

Islam & MODERNITY



Mullahs on the Mainframe
Islam and Modernity among the Daudi Bohras
Jonah Blank

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making," a sentiment that was echoed by Porter when he wrote that Eakins's "preoccupation with the useful did not include an appreciation for art." The fascination that this painter has exerted, especially since the 1930s, has to do with his paradoxical position at the dawn of the modern world of art, with his status as an American independent who insisted on his brown-on-brown harmonies even as the Post-Impressionists were going mad with pure color.

"STRAIN YOUR BRAIN more than your eyes," a student reported that Eakins asserted, time and again. This was surely a strange thing for a painter to say. Eakins's appeal was—and, I think, ought to remain—that of an American contrarian. If he goes down too easily in Philadelphia, this is probably because the very idea of the artist as a contrarian is not so much out of fashion as it is beyond many people's comprehension. After closing in Philadelphia in January, this retrospective goes to the Musée d'Orsay in Paris and then to the Metropolitan Museum of Art in New York next summer. Among the team responsible for the show, headed by Darrel Sewell, the Philadelphia Museum's curator of American art, there is considerable excitement about a native son's appearance in Paris. This is said to be the first Parisian retrospective devoted to a nineteenth-century American who was not (like Whistler or Sargent) an expatriate. But of course the Musée d'Orsay, where the tension between avant-garde and academic impulses that animated nineteenth-century art was long ago re-packaged as a sort of *haut* junk-shop pluralism, is hardly a place where contrarianism, Paris-style or Philadelphia-style, is likely to be grasped.

The urge to make something with one's hands had a long history in Eakins's family. His grandfather had been a weaver. His father was a writing master, and the rule-book exactitude of the art of penmanship does seem, as many people have observed, to have fueled the sobriety that Eakins brought to the painter's craft. When he was in his thirties, Eakins did a number of oils and watercolors in which he looked back to earlier generations of American creators, painting the legendary Philadelphia sculptor William Rush as well as impressions of the domestic arts of a pre-industrial America, with women knitting or spinning. The idea of art as a form of labor interested Eakins, and although there is surely always a connection between the artisanal and the impersonal, Eakins was to a rather unusual degree a painter who was attracted by a technique that denied the vividness of the artist as a personality.

When he went to Paris in 1866, in his early twenties, Eakins studied with Jean-Léon Gérôme and Léon Bonnat, both leading exponents of a dispassionate academic technique, and to the end of his days Eakins was a true believer in their finicky literalism, in a kind of pedantic empiricism that located truth in a dry-as-dust precision. Eakins was unmoved by the impulses behind Impressionism, by the sense that the very process of looking, of experiencing, of getting things down, would transform our understanding of nature and make it new. Back in Philadelphia, his insistence on this academic empiricism came to have a homegrown ferocity. Eakins generally avoided the picturesque subjects that Gérôme employed to give his hard-boiled techniques a romantic atmosphere. He rendered the people of his time with a forthrightness that had its own kind of avant-gardist shock. His belief that an almost obsessive faith in anatomical and perspectival precision could strip away life's illusions came to represent the rearguard avant-garde in late nineteenth-century American art.

ALTHOUGH EAKINS ASPIRED to be a painter of modern life, he cared nothing for the flashing insights and dramatic crystallizations that we associate with Baudelaire's wanderer in the city. Eakins wanted to reconstruct meticulously everything he saw; he focused on the labor of reconstructing rather than on the pleasure of seeing. His work ethic did produce its own kind of emotional power, a power that can seem almost like a shadow inadvertently cast across the canvas by the artist's hunkered-down personality. I suspect that Marsden Hartley had this peculiar emotional quality in mind when he remarked, "I am not interested in Eakins's fact, and certainly not in his style of painting, so I seem to find myself sort of washed up by a curious tide, and left." The unrelaxed quality of Eakins's work can be fascinating, but it can also be rather trying, especially when the paintings are seen in bulk in a large retrospective. Eakins *never* eases up.

This exhibition opens with the paintings of oarsmen on the Schuylkill River, scenes that include the most tough-minded and even bloody-minded images that have ever been painted of shimmering water under brilliant sun. Eakins's athletes—especially the famous sculler John Biglin, his face often in profile, his muscular torso and arms compact—are all steely determination. Biglin seems at odds with his environment, entirely focused on conquest. His physical prowess is not given a rhythmical beauty. Although Eakins's work has its pastoral interludes—a group of figures in classical dress in a green glade; young men swimming—he is very much a man at odds with nature. In the suavely composed *Swimming* (1884–1885), unfortunately not included in the Philadelphia show, the figure painting demonstrates formidable knowledge and powerful technique. And yet Eakins's young men, for all their turning, diving, and swimming, seem insulated from the heat and the moisture and the light of a glorious day.

FOR EAKINS, REALISM was a kind of armor or carapace that he constructed, piece by piece, from the inside out. He was fascinated by the study of anatomy, and twice in his career he produced large canvases devoted to great surgeons, showing them surrounded by their students. The earlier of these paintings, *The Gross Clinic* (1875), can be regarded as a summing-up work by this artist who doubted that surfaces could be trusted. Here the renowned Philadelphia surgeon Dr. Samuel David Gross leads a team that is performing an operation on a young man to remove a bone from his thigh. The grim composition is painted in blackish-bluish tones that seem to suck up all the available light, so that Eakins's complex arrangement of crisscrossing and averted glances operates subliminally, as if in a nightmare. Even the great surgeon's head, painted in strident whites, has the coldness of a fire that has turned to ash. Dr. Gross is speaking to a crowd assembled in the amphitheater to watch the operation, but with his head cast slightly down, so that he seems almost to be speaking to himself. To his immediate left are his surgical team, focused on the young man, most of whose body we cannot see. Elsewhere, two other figures with downcast heads, one a self-portrait of Eakins, seem to be busy taking notes. And the patient's mother, behind Dr. Gross and to his right, hides her face with her hand.

During his time in Europe, Eakins visited Spain and became a great admirer of Velázquez, and you can feel the influence in *The Gross Clinic*. Eakins is thinking of the complex play of glances in some of the Spanish master's works, and also of Rembrandt's paintings of medical men. It could be argued that all the averted eyes in *The Gross Clinic* suggest a sort of modernization of the Baroque, and that the underlying theme of the painting is the difficulty of seeing, or of understanding what we see. But if Eakins does want us to confront the mysteries of sight, he lacks the quicksilver representational skills needed to make us see those difficulties clearly. The down-to-earthness of Eakins's sensibility robs his compositions of a much-needed imaginative dimension, of the kind of dramaturgy that even a realist

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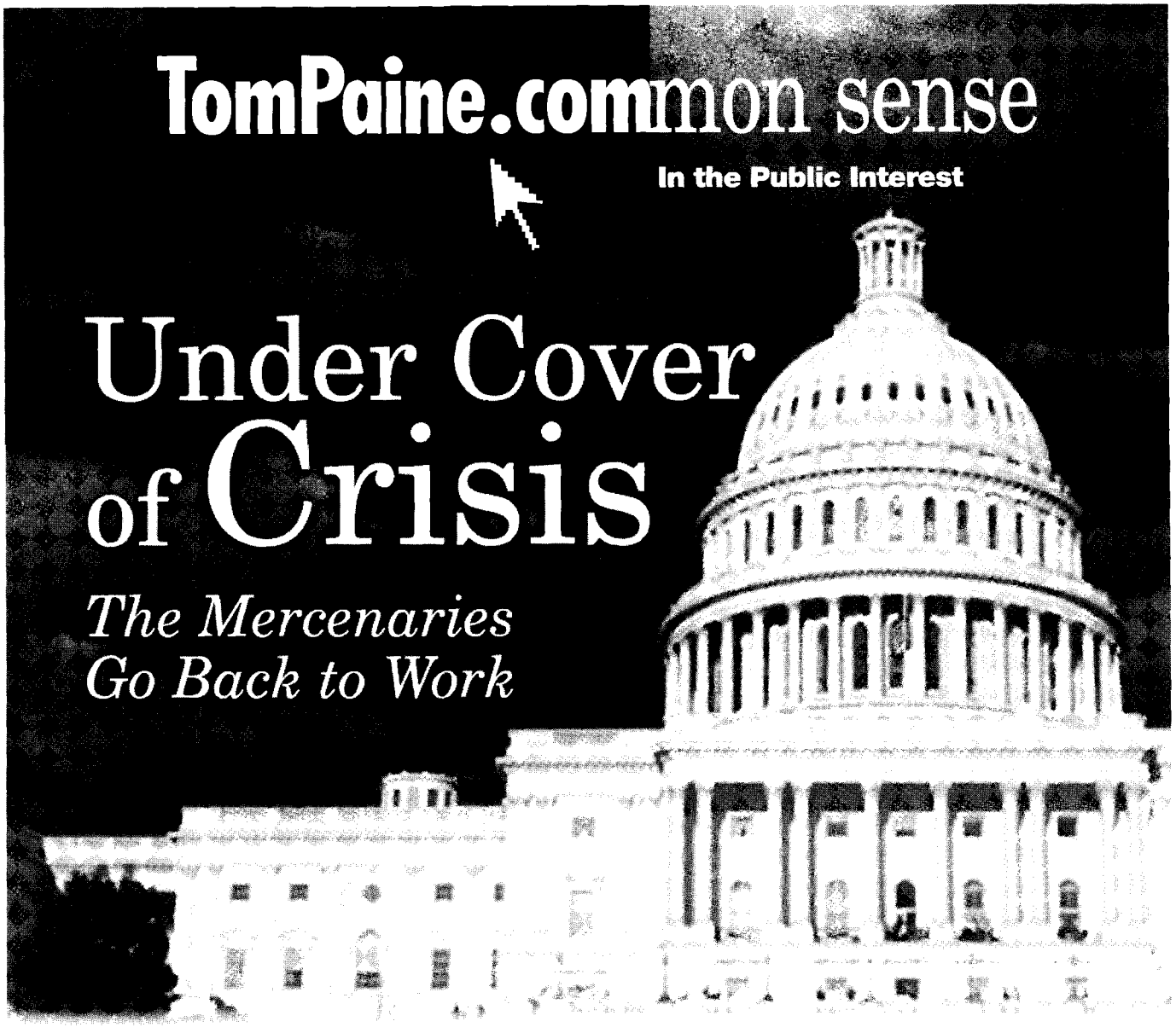

The mercenary agents of special interest returned to work in Washington even before the smoke of 9/11 had cleared, before the tears had dried.

As most Americans asked what they could do for their country, the special interests asked what the country could do for them.

The airlines forgot their historic distaste for government and begged taxpayers for help. Congress responded with a bailout worth billions. Help for laid-off airline workers was an afterthought.

Before 9/11, the Dinosaur Lobby's energy plan – call it *"The Fossil Fuel Pollution and Profit Protection Act"* – was headed for a Senate filibuster. Immediately after 9/11, first Senator Murkowski and then Senator Inhofe tried to revive it, saying it would reduce our reliance on foreign oil. Gagged as they are by the Dinosaur Lobby's campaign cash, Murkowski and Inhofe cannot say that a major investment in renewable power and efficiency is a better path to energy independence and new jobs at home.

In the name of 9/11, Star Warriors at the Center for Security Policy – funded by defense contractors – urged President Bush to throw even more money at missile defense. Never mind the program's string of failed and fixed tests – its only success so far has been lining contractors' pockets. Never mind that future threats, like those of 9/11, will likely fly under any missile defense radar.

Not to be outdone, the National Taxpayers Union, defender of the oppressed wealthy, suggested that more tax breaks for corporations and the richest Americans would aid the war on terrorism.

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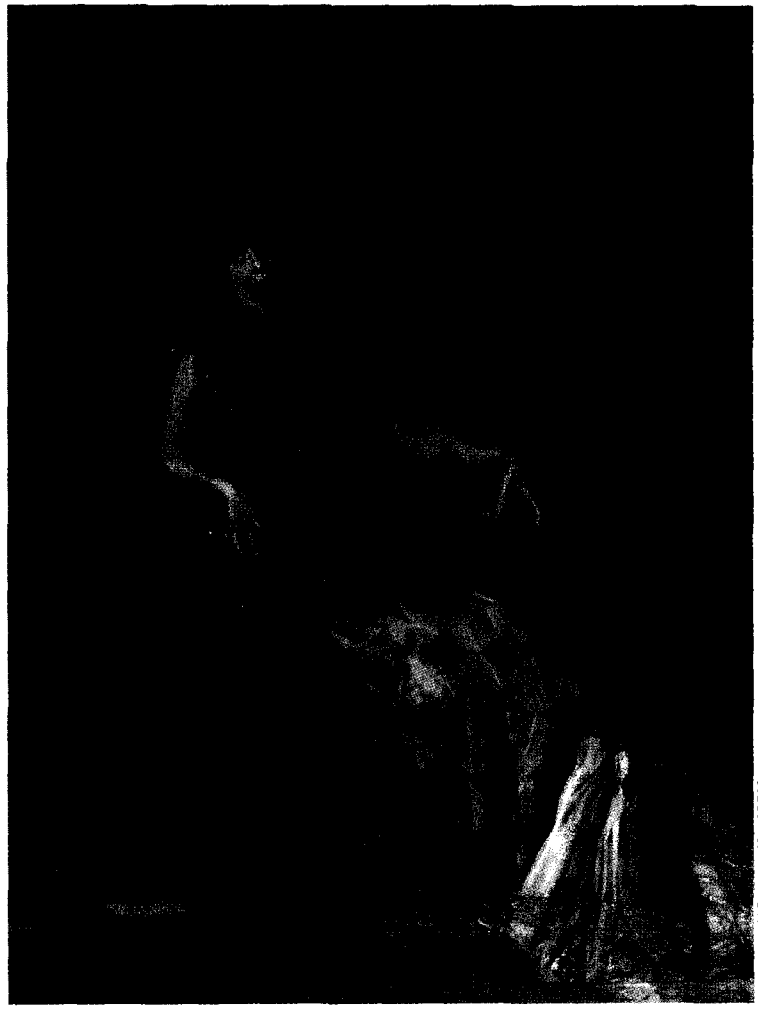
such as Courbet knew would give big figure compositions a rhythmic impact. The bloody scalpel that Dr. Gross holds in his hand is not unlike a paintbrush with pigment; but the scalpel is all wrong as an emblem for the painter's art, for it celebrates the painter's icy dissections at the expense of his daring reconstructions.

Many of Eakins's most famous compositions are not so much triumphs of artistic sensibility as they are elaborately worked-up presentations of the American condition. Even Lloyd Goodrich, the historian whose half-century-long studies of Eakins culminated in the magisterial biography published in 1982, sometimes seems to believe that what we care about in Eakins is less his capacities as a painter than some quality of "individual and national character" that comes through in his work. One certainly could argue that the man who painted *John Biglin in a Single Scull* (1873–1874) and *The Gross Clinic* is an American genius; but as a painter he rarely produces the kinds of sparks or nuances or enigmas that hold me before a canvas. When I look at the perspective studies that Eakins prepared for the sculler paintings, I have to wonder at this man who thought of water as a hard surface. True, this is the kind of quasi-scientific operation that one can imagine Uccello undertaking, but with Uccello the geometry would have gone off on some fantasy jag. With Eakins, all the fussy perspective is just his roundabout way of feeling confident about the location of the boats on the river.



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Thomas Eakins, *An Actress*, 1903

GREAT ARTISTS ARE seducers. When a classicist such as Ingres or a realist such as Courbet constructs his indomitable structures, he is also, in many different ways, offering avenues for entry and exit. He is creating rhythms, rhymes, jokes, echoes, patterns, arabesques. He is allowing us to feel implicated in what he does. The result is that we tumble into the experience. Eakins is the anti-seducer. He wants us to respect his efforts. And we do, we do. But there is rarely a kinetic excitement that gets going in his work. Even the hedonistic touches are disinterestedly plotted.

In *An Actress* (1903), which we come upon toward the end of the show, Eakins paints Suzanne Santje wearing a gown of a wildly lurid red, and that color, which obviously reflects the woman's extravagant tastes, suggests a painting with a bold coloristic brilliance. But Eakins provides nothing for that red to bounce off, to interact with. Corot, if confronted with this casually yet showily dressed woman, would probably have deepened some of his colors to underscore the red; he would have given it a mellow force. Eakins simply sets Santje's dress in one of his generic brown-on-brown environments. By refusing to respond in painterly terms to Santje's costume, Eakins rejects precisely the kind of visual complexity that animates the greatest paintings of theatrical types. This extravagant piece of clothing is given a grim, murkily journalistic rendering.

Like many of Eakins's portraits, *An Actress* has a muffled psychological impact, an impact that can seem to be an after-effect of the painting's artistic failings. Eakins's tamped-down authority as a portraitist sometimes mirrors the layered emotions of his subjects. The portraits are, by and large, the strongest things that he ever did. They have the circumspect power of investigative reports. They can be curiously impersonal, although many of Eakins's subjects were his friends or professionals whose achievements he admired. Lewis Mumford, in his fine discussion of Eakins in *The Brown Decades*, observes that "he was at his best with human characters. The backgrounds of his portraits are frequently empty; if they are painted in at all, they are too often thin and unsatisfactory; but this weakness is the result only of the intensity and stress that has gone into the figure itself." That seesawing between weakness and intensity, which is so characteristic of Eakins, suggests psychological cross-currents. Eakins's portrait subjects often seem like sleepwalkers, plunged in private confusions even as they yearn to cut a figure in the world.

Eakins was already striking this equivocal mood in the 1880s, in a portrait that he did of his wife Susan, comfortably seated with a book of Japanese prints in her hand and Eakins's setter at her feet. In the '80s, though, the artist still had a tendency to work his portraits a little too evenly, so that the surfaces have a stuffy consistency that suggests Victorian complacency. A portrait that Eakins did of his father in 1882, which shows the old man laboring over a piece of calligraphy, feels wanly picturesque. But by the end of that decade Eakins's hunger for the truth began to shatter the academic good manners of his compositions. In the 1890s his fanatical interest in the specifics was working against a glib pictorial unity, and more and more the portraits took on the interestingly dissonant character to which Mumford refers. In *The Thinker* (1900), a portrait of a young man named Louis N. Kenton, the treatment of the figure does not necessarily rise above the level of magazine illustration, but the combination of a bold, legs-apart stance and a downcast head is so striking that the result becomes a sort of emblem of sensitive youth caught in the over-commercialized atmosphere of post–Civil War America.

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The Thinker is one of a number of portraits that are known by generic titles. These titles—*An Actress*, *The Concert Singer*, *The Vicar General*, *The Cello Player*, *The Archaeologist*—have a way of emphasizing Eakins's tendency to turn his encounters with individuals into sociological or even anthropological investigations. Even in some of the smaller, more intimate portraits of lifelong friends, I sometimes feel that Eakins is painting not an individual but a type. His portrait of Samuel Murray, a student with whom he remained very close until his death, can be interpreted as a tough-minded look at the dreaminess of youth.

In the portraits Eakins's work takes on some of the nuts-and-bolts force of realist fiction in the line from Howells to Dreiser. When you read those writers, what often holds you is not the seamless pleasure of language so much as the from-the-foundations-up excitement of watching descriptions unfold and situations build; you see the mechanisms of realism as they are locked into place. There is a clunkiness to the way Eakins arranges the accoutrements of a person's profession around him. He paints the ethnographer Frank Hamilton Cushing surrounded by Indian artifacts. He shows Sarah Sagehorn Frishmuth, a collector of old musical instruments, in a room strewn with her finds. But he does not gather these elements together into suave compositions, as Holbein would. The Indian artifacts and old musical instruments are handled perfunctorily, as if they were items on a resumé. Eakins wants this prosaic mood; his subjects were sometimes annoyed when he insisted that they wear their workaday clothes.

When I look at the *Portrait of Professor Henry A. Rowland* (1897), who was a physicist, I feel as if I am being forced to make awkward jumps through the space, from Rowland to the elaborate experimental apparatus that he invented to his assistant in the background. As in the portrait of Suzanne Santje, the color in the Rowland portrait feels disjointed—descriptive rather than pictorial. In his hand Rowland holds a small mechanism, a sort of series of prisms etched into a mirror that refracts light, and Eakins renders this object in high-keyed colors that have nothing to do with anything else in the painting. But perhaps the most striking feature of the Rowland portrait is the frame, which is also by Eakins. Eakins has embellished this broad wood surface with various equations and diagrams associated with Rowland's work. They are carved into the wood like extravagant graffiti. The frame has a playful quality; the lines and shapes, inscribed in a way that feels almost random, suggest the sheer fun of intellectual activity. How characteristic it is of Eakins to keep this exciting divertimento in the frame. It is as if the spontaneity of invention cannot encroach on the painting itself, where intelligence must equal sobriety.

Eakins saw himself as operating in a tradition of daring verisimilitude that went back to Velázquez. In this longing to grapple with nature, he was of his time; his stoical truth-telling has some of the same roots as Van Gogh's shoes. But Eakins was also working during the decades when naturalism was turning into symbolism, and although he fought against that turn, he was willy-nilly swept up in the changing temper of art. Eakins wanted to believe in a rigorously progressive idea of realistic investigation, as if realism were still the discovery that it had been for Van Eyck; but his own realism inevitably took on a trapped, haunted aura. Although he refused to give his naturalism an artful burnishing, he could not entirely avoid that strange late-nineteenth-century alchemy by which truth became a symbolist conceit. His empiricism was not a universal belief but a personal attitude—a bundle of mannerisms that might or might not cohere into a style, in spite of the fact that the man did not believe in style.

The restlessness of nineteenth-century art, which made the Paris of the 1860s a center of revolutionary discovery equal to any in the entire history of art, registered with Eakins, but in a highly unusual way. He hungered for a renewed truth as much as Seurat or Van Gogh, but he could not accept the idea that an artistic truth was a personal truth. The greatest dramas of his life centered around his efforts to construct, in an academic setting back in Philadelphia, a system of pedagogy that would bring together teachers and students to confront nature directly. His plans for the Pennsylvania Academy of the Fine Arts, where, in the mid-1880s, he was director of the schools, suggest a rearguard idealism.

Eakins's impact was enormous at the academy during the few years when he was shaping the curriculum, and his influence continued for a few years more, after he was forced to resign, when a group of students founded the Art Students' League of Philadelphia so that they could continue to work with him. Eakins strove for a kind of pedagogical coherence that was in fact unknown at the École des Beaux-Arts in Paris, where, by the time he was a student, academic studies had to do less with acquiring a comprehensive understanding of the past than with figuring out how to make your way in the present. To study art in Paris, even to go through the Beaux-Arts, was to experience overlapping and sometimes contradictory aes-

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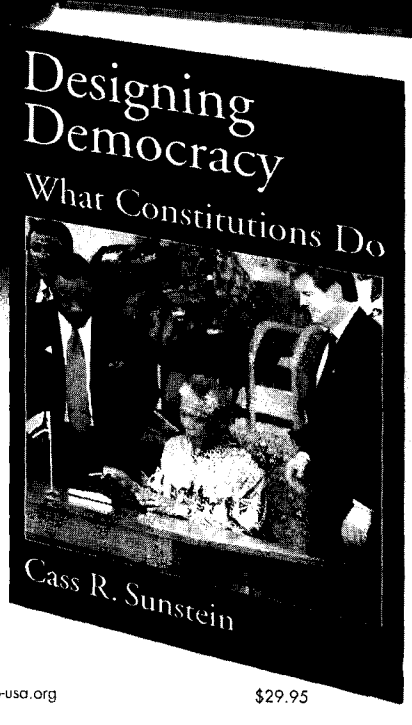

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thetic ideas. At the Pennsylvania Academy, Eakins attempted to develop a fully coherent academic program, almost a Bauhaus of academic art. He wanted students to study anatomy and perspective, figure painting, portraiture, still life, and photography. He wanted them to see how everything went together. The academic method equaled honesty, because it offered a standard that transcended individual experience.

Eakins was clearing the cobwebs of convention out of the academic approach when he urged female students to see the male nude complete, and encouraged students to become subjects in a series of photographic studies of the naked body seen from various angles in various poses. When he went out with groups of students into the countryside and photographed them wrestling in the nude, or allowed them to photograph him with nothing on, he was reviving Athens in Pennsylvania. "There can be few more touching documents in art history," Kirstein declared, "than pictures Eakins took, or had taken, of himself, his students, in the nude. In the fastness of his studio, in escapes to beach and swimming hole, he was briefly freed to luxuriate in the absolute proximity of the human body, in its quickness, grace, vulnerability." The snapshot ease of many of the photographs still gives a jolt. They relate to an interest in the natural life—in gymnastics, in nudism, in rustic retreats—that was becoming a cult in both Europe and America in the late nineteenth century. But there is also something more personal here. When Eakins came into contact with the camera, he was released from the responsibilities that he associated with painting.

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Thomas Eakins Carrying a Nude Woman at the Pennsylvania Academy of the Fine Arts, 1883–1885

Eakins's interest in photography was recognized even in his own day, but the publication in 1972 of Gordon Hendricks's collection of the photographs remains a watershed event. Since then studies of the photographs have proliferated, and there can be no question but that the catalogue of the current show adds to our understanding of how Eakins used these images. Examinations of paintings using new laboratory techniques have revealed underdrawings and incised lines that suggest that in many instances Eakins did not merely employ photographs as compositional aids, but in fact projected photographs directly onto the canvas and traced their outlines and then copied them, tone for tone. Although this contradicts certain statements made by Eakins's wife to the effect that he did not like to work directly from photographs, I have to say that the new information does not come as much of a surprise. How exactly it was done may now be clearer, but hasn't the tight, constricted character of many of Eakins's images always suggested a sharply photographic quality?

There is a paradox here, for Eakins was fascinated by photography's ability to reveal movements hidden from the naked eye. In 1883, Muybridge presented his photographs of animal locomotion at the Pennsylvania Academy. Eakins was excited by these sequential images, which broke down the complex muscular operations of human beings and animals into isolated instants and then brought them together again to create a proto-cinematic magic. He supported Muybridge's experiments in Philadelphia and became involved in his own parallel investigations. He created a series of flickering, diagrammatic photographs in which the overlapping bodies seem to prefigure Futurism, but these extraordinary effects, which also give scientific confirmation to some of the kinetic drama of Baroque art, were never really incorporated into his paintings. There it is the frozen-moment quality of photographic images that holds our attention. In Eakins's photographs, we see what he held back from his paintings: a buoyant informality, a feeling of vitality.

THE FRANKNESS OF the photographs is fascinating. When the artist, his wife, and his students dropped their clothes for the camera, they regarded themselves as researchers—they aimed for a superior understanding of the human figure—but of course something more was at stake. This vast store of photographs, in which the nude (and especially the male nude) was presented as unabashedly as anywhere in nineteenth-century photography, suggest a strain of feeling among a certain group of Philadelphia bohemians. Yet what Eakins and his students felt about each other—and whether all this looking led to other things—will never be clear. We really know little more than Eakins's contemporaries, who were familiar with the rumors that circulated around his teaching career, and who could view in any number of ways his friendship with Walt Whitman, a revered national figure whose portrait Eakins took with camera and brush, and at whose funeral Eakins was among the pallbearers. In recent years the gender studies crowd has turned its attention to Eakins, but for the most part these scholars seem to have concluded by expressing a refreshingly un-postmodern respect for the man's indissoluble complexity, for his insistence on regarding life as a great experiment that would have no neat conclusions.

Eakins lived much of his life in Philadelphia under a cloud. He had his staunch defenders and his close friends. Yet the city could not easily forget the accusations of sexual impropriety that had blighted his years as a teacher. And even as those scandals faded, Philadelphia remained uneasy with the directness of his realism, which made his portraits often seem harsh and unappealing. His paintings rarely sold, and most were still in his studio when he died in 1916. It was only some fifteen years later that his work began to be widely admired for the

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very qualities for which it had been reproached in his own time: for its grittiness, its remorselessness.

It was in the 1930s that Eakins came to be generally regarded as a kind of modern, as representing some essence of the national character or spirit. He spoke to a country struggling through the Great Depression, and this view of Eakins as a hard-bitten American is by now the conventional one. Yet in recent years, without losing his status as a precursor or avatar of American modernity, there has developed also an international and even a universalist view of Eakins. Scholars who have been swept up in a renewed admiration for French academic naturalism have emphasized Eakins's relationship with that tradition, which has placed him, for all his Americanness, in the broader trans-Atlantic context.

What we see in Philadelphia is the "have your cake and eat it too" Eakins. He is an American original, a man who did everything in his own, stubborn way; and he is a figure with strong links to the core of European painting, not only to Gérôme, but somehow also to Velázquez and Rembrandt. Philadelphia's art community, not to mention the country as a whole, long ago made its peace with Eakins. What once seemed uncomfortable now seems almost banal. But there is still something about Eakins that cannot be confronted directly, that cannot be forgiven.

In her preface to the catalogue, Anne d'Harnoncourt, the director of the Philadelphia Museum, observes that visitors to this show at the Musée d'Orsay will have "the opportunity to see Eakins's work in a French context." This "reminds us," she continues, "that he shared a lifelong fascination with the human body and its awkward beauty with his near contemporary Edgar Degas." Of all the French painters, Degas is certainly the one with whom Eakins has the closest affinities: just think of their interests in athletics and in photography, and of their allegiance to academic ideals. D'Harnoncourt is too savvy a commentator actually to argue that Eakins might be an artist who could be spoken of in the same breath as Degas—and yet the hope, I think, is there.

This hope—the hope that Eakins is one of the essential artists of the nineteenth century—hovers over the retrospective in Philadelphia. It may be whispered, or implied, or flat-out denied; but it is there. And the hope hides a scandal, the scandal of Eakins's inflation. Eakins can now be forgiven for everything except the hard fact that confronts us at every turn in this exhibition, which is that his art, whatever its many heroic qualities, pales almost to invisibility when weighed against the immense achievements of Degas or Courbet or a considerable number of other nineteenth-century European masters. ■

Such Nativity!

By Zoë Heller

Borrowed Finery by Paula Fox

(Henry Holt and Company, 210 pp., $23)

Despite having been recently re-issued with introductions by modish writers such as Jonathan Franzen and Jonathan Lethem, the six dense little masterpieces that make up Paula Fox's fictional oeuvre still have not penetrated the mainstream. It is unlikely that they ever will. Fox is a tough writer. Even her most devoted fans are often tentative about recommending her work to their friends. She specializes in humid domestic tension, alienation, anomie. She is a poet of appalling moments. Hers are not novels that you "curl up" with, except perhaps in an involuntary gesture of excruciation. They are strongly flavored and painful novels, suffused with a heavy sense of what one of her characters calls "the sheer effort of a single human life to complete its course." Oprah's Book Club will not be calling anytime soon.

Adults—morbidly self-conscious adults—are Fox's subject, but her glancing depictions of children tend to suggest that they are not exempt from the effortfulness of life. She usually catches children on the perimeter of the action—out of the corner of her eye, as it were—picking their way through a stale-smelling living room the morning after an unhappy dinner party, or peeping from behind furniture when the adults brawl. With these fleeting appearances, the children offer mute reproach to the outrageous solipsism of their parents. As one alcoholic mother exclaims in the novel *Poor George*: "I'm so sick of it! Thinking about myself. Loathsome! Even when I tend to the little girls, I'm thinking—here I am, their mother, taking care of them."

It comes not as a complete surprise, then, to learn from Fox's memoir that her own childhood was unhappy. She was born in Manhattan in the early 1920s to Paul, a hard-drinking and unsuccessful Hollywood screenwriter, and Elsie, his beautiful and perpetually furious wife. Her mother was "ungovernable in her haste" to be rid of her, and a few days after the baby's birth she handed her over to an orphanage. Some weeks later Fox's scandalized grandmother retrieved her, and for a while after that she was passed among strangers (including a pair of newlyweds who gamely took her on their honeymoon). When she was five months old, she was taken in by a Congregational minister in upstate New York, who looked after her for several years until her parents resurfaced. At this point, it seems, her father had decided to take a more active role in his daughter's upbringing. But his resolution didn't last long. Soon after Fox traveled across the country to join her parents in Los Angeles, her mother delivered an ultimatum to her father—the banal but effective "either she goes or I go"—and Fox was promptly farmed out to the care of a certain Mrs. Cummings in a town thirty-five miles away.

This was the beginning of Fox's long picaresque, through the high, medium, and mostly low life of assorted relations and family friends. "I learned," Fox writes, "that if I were to see my parents, I had to live away from them." She shared a dingy apartment with her Spanish grandmother in Kew Gardens, Queens. She spent a year in Cuba, where the grandmother was employed as a live-in companion to a rich and senile cousin. She was dumped in Florida for a while, then in New Hampshire. She spent several months when she was fifteen living alone in New York, attending art school until she ran out of money. She worked as an errand girl for a theater company in Nantucket. She attended a finishing school in Montreal and then, for a time, the Juilliard School of Music in Manhattan. One of her father's last attempts at a paternal gesture was to pack her off to Hollywood when she was eighteen, in the putative care of a drunken family acquaintance.

The outsized Victorian quality of its dramatis personae, the grand sweep of its

Zoë Heller is the author of *Everything You Know* (Knopf).

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plot, and the intensity with which it re-creates the frightful powerlessness of childhood: all these qualities confer a distinctly Dickensian flavor upon Fox's book. But in the end what this memoir brings to mind more vividly than anything else is fairy tale. As in a fairy tale, the heroine survives the cruelties inflicted by a wicked mother and a feckless father by dint of her own resourcefulness and the kindness shown her by strangers. As in a fairy tale, the random acts of altruism that she encounters are presented as inexplicable wonders. Virtue is aberrant. Unkindness is the rule.

At the age of five or so, Fox is invited to visit her parents in Manhattan. Her mother greets her by silently flinging a glass at her.

> Water and pieces of ice slid down my arms and over my dress. The dog crouched at my feet. My father was in the doorway, holding my mother tight in his arms. Then he took me away from the apartment.

The next time that she is invited to visit them, a few months later, they are staying in a fancy hotel. Room service is ordered, and when the tray arrives, Fox observes that she has forgotten to request milk. Her father opens the window and drops the tray into the airshaft. "Through tight lips, my father said mildly, 'Okay, pal. Since it wasn't to your pleasure....'" After that, mother and father depart for an evening out, leaving their bewildered daughter in the care of a young man who promptly falls asleep.

From time to time the monotony of parental neglect is broken up by the father's bursts of energetic contrition. Paul was not a bad man, Fox suggests; his intentions were good. It was just that other things—his drunkenness, his peripatetic life, his wife—always got in the way. Fox's mother, by contrast, is presented as utterly single-minded in her monstrousness. We have seen versions of the terrible Elsie before, in Fox's fiction. Sophie's mother in *Desperate Characters*—a woman who likes to wake her daughter in the morning with "jeering applause"—has something of Elsie's icy affect. Laura in *The Widow's Children*, with her characteristic expression of "always impending irony" and her mission to "destroy certainty," is almost certainly modeled on Elsie. Once, shortly after Fox's parents had separated, Elsie rang her daughter, demanding to know if she loved her. (This was a prelude to getting Paula to hunt down and inspect the diary of her father's new girlfriend.) "Who was I to love such a person and who was she to be loved?" Fox writes. "I was frightened by her question; there was something in her voice that made loving her a punishment. But I said yes."

Paula Fox by Jack Coughlin for The New Republic

THE MEMOIR BONANZA of recent years has tended to make us rather jaded and connoisseurial about tales of parental cruelty. Is there, at this point, any taboo whose transgression we have not had some trembly-voiced survivor depict for us in gross paratactic detail? Is there a domestic perversity that we have not seen laid horribly bare in precious writing-workshop prose? The contemporary breed of proudly suffering memoirists has turned the genre into a kind of pornography of dysfunction. Reading them, one is reminded of the Monty Python sketch in which a group of elderly men vie for bragging rights to the most egregious childhood deprivation.

By the current standards of sensation, Fox's recollections are soft-core, almost quaint. One of the pleasures of this memoir is the author's utter indifference to any perverse kudos that might derive from past anguish. She signals that indifference, among other ways, by beginning her book with a luminous evocation of uneventful happiness.

Sandwiched between the crisis of her earliest infancy and the turmoil of the rest of her youth, Fox's time with the gentle Reverend Corning, in the aptly named hamlet of Balmville, constituted her childhood Eden. The Reverend, who wore a high-crowned Panama hat in the month of August and wrote a weekly column for the *Newburgh News* called "Little-Known Facts About Well-Known People," is the white witch of this narrative: a highly particularized personification of goodness. The author of several books (including a history of the Blooming Grove church, where he preached, and a collection of his own sonnets), he was a keen amateur historian of the Hudson Valley, and took Fox with him on his trips to investigate local Indian burial grounds. He also introduced her to the pleasures of Moxie at the Newburgh soda fountain and read her the novels of Washington Irving.

"Uncle Elwood" appears to have been gifted with a preternaturally sanguine temperament, but under extreme pressure he was known to declare that he "could fly to Jericho." He once sought his young charge's advice on what he should write his next sermon about. Fox, age four or so, thought a waterfall would be a good topic; and she was amazed the following Sunday to discover that the preacher had taken her suggestion: "I grasped consciously for an instant what had been implicit in every aspect of daily life with Uncle Elwood—that everything counted and that a word spoken as meant contained a mysterious energy that could awaken thought and feeling in both speaker and listener."

The danger of quietly charming vignettes such as these is that their charm will grow mawkish, or that their quietness

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will grow dull. But there is a tough, ferruginous streak in Fox's prose that is inimical to sentimentality. One of Fox's strengths as a writer has always been her ability to persuade us of the living presence of good and evil in the humblest of domestic situations. The great moral struggles, she reminds us, are fought out not on mountaintops, but in drab living rooms.

Even the Eden of Balmville is fraught with interior drama. Every Sunday, Fox recalls, after attending church with the Reverend, she would find herself beset by a sudden, terrifying crisis of confidence.

> My unquestioning trust in Uncle Elwood's love, and in the refuge he had provided for me ... would abruptly collapse. In an instant, I realized the precariousness of my circumstances. I felt the earth crumble beneath my feet. I tottered on the edge of an abyss. If I fell, I knew I would fall forever.

Of course, to be abandoned at birth by one's own blood, and then taken in by poor strangers, is apt to give a child an unusually piquant sense of the capriciousness of fate. It is also apt to create a heightened awareness of the moral range of which humans are capable. Fox had escaped the orphanage only because "by chance, by good fortune, I had landed in the hands of rescuers, a fire brigade that passed me along from person to person until I was safe."

Naturally she took questions of character more seriously than the average child. Witness her flinty observations of "Auntie," the Reverend's whiny, divorced sister.

> She smoked cigarettes, somewhat furtively, and carried a pack of them in a cloth bag, along with scraps of cotton or wool with which she rapidly crocheted small rugs and blankets in colors that suggested mud or blood or urine.
>
> The cloth bag had a wooden handle and was embroidered with a design that made me uneasy. Perhaps it was the reddish entwined loops that led me to think of the copperhead snakes Uncle Elwood had warned me about, lurking in the woods in spring.

Auntie, the beady-eyed child had determined, was not a potential fire brigade volunteer—not someone, that is, to be relied upon in extremis. Inevitably, perhaps, this capacity for distinguishing friend from foe broke down when it came to assessing her mother and her father. Like most children, her attraction to her volatile, mysterious parents was tragically hardy—capable of withstanding years of abuse. Of the occasion on which her mother attacked her with a cocktail, she observes here, with a characteristic evenness of tone:

> For years I assumed responsibility for all that happened in my life, even for events over which I had not the slightest control. It was not out of generosity of mind or spirit that I did so. It was a hopeless wish that I would discover why my birth and my existence were so calamitous for my mother.

This wish to understand, we note, is "hopeless." Nothing, ultimately, can pierce the opacity of the mother's awfulness.

Fox has never been a great explainer in her fiction, and in this memoir she is terser than ever. Occasionally her disciplined refusal to provide interpretation seems to place more rather than less metaphorical freight on a recollected incident, with slightly grandiose results. For the most part, though, the absence of the usual exegetical padding is welcome. As readers, we have grown so accustomed to receiving psychological x-rays of the characters whom we encounter in literature that it is startling to come across a portrait of a filial relationship that has no recourse to the psychiatric worldview, that makes no attempt to trace unconscious motivations.

One of the reasons that modern memoirs often seem dispiritedly homogeneous, in spite of the diligent variousness of their contents, is that they all tend to make obeisance to the same Freudian paradigm. Everything that is particular is boiled down to the same set of psychological generalities. By steadfastly refusing to theorize the inner lives of her protagonists, Fox gives back to us the irreducible oddness, the mysterious richness, of old-fashioned character.

As a result, her portraits may be less self-advertisingly "fair" than is usual in modern memoir. There are no theorized causes here to mitigate her mother's behavior; there is just the behavior speaking for itself, with terrifying eloquence. But if Fox denies her mother any "understanding," she also denies herself the vanity of being seen to understand. Toward the end of the book, she describes going to visit her mother on her deathbed. She has not seen her in thirty-eight years, but the sight of the wizened old lady inspires nothing but intense dislike—an animus that manifests itself in physical repulsion. When she needs to pee, she chooses to leave the house and to squat under a tree rather than have her flesh touch her mother's lavatory seat.

No last-minute, heart-warming illuminations here. The grimness of this filial postscript would be almost unbearable were it not paired with a contrastingly joyous account of Fox being tracked down, in middle age, by the child whom she had herself given up for adoption in her youth.

> I walked off the plane and into the airport waiting room. I hadn't gone more than a few feet when I heard running steps behind me. I turned to look at the woman who was doing the running. We both laughed at the same time. We walked so closely together, I could feel her breath on my face.... I found her beautiful. She was the first woman related to me I could speak to freely.

Here, in quite unexpected form, is the book's true moment of redemption. A last we have reason to believe the book's Shakespearean epigraph: "After so long grief, such nativity!"

Felicity, it should be noted, does not make Fox any more discursive than usual. In keeping with the rest of the book, this reunion episode is recounted with an economy that is sonnet-like. Fox never pretends to have told all, or even mostly all. But she does restore to a genre that has become characterized by garrulous frankness the long-forgotten power of discretion. ■

Questions for the Weather

in memory of all the victims of the terrorist attacks of September 11, 2001

To the wind: remember us. Who's not to say
the airplane roaring overhead in fact
is Armageddon? The wind is cool today,
a kind of calm before the last attack.
The wind is hurling birds across the sky,
enacting distance, pretending what can fly
is always beautiful. Who's not to say
that what we can remember when we die
is really just a single moment? Not a life
of great accomplishments, but a cool wind
that touched us once, less urgently than love,
but as familiar as a long-lost friend.
The wind does not remember us. Yet we'll
remember it, distantly, desperately.

Rafael Campo

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Over Easy

By ADAM KIRSCH

Sailing Alone Around the Room: New and Selected Poems by Billy Collins

(Random House, 172 pp., $21.95)

THE ASSOCIATED PRESS report of Billy Collins's appointment as poet laureate in June was a document of startling philistinism. Under the headline "Popular Poet Named U.S. Laureate," it began: "Billy Collins, a popular poet who makes money at the job, is becoming the 11th U.S. poet laureate.... Collins can collect $2,000 for a single reading of his poetry and Random House has reportedly offered him a publishing contract of at least $100,000 for three books.... His one-year post as laureate will net him a $35,000 salary, a Washington office at the Library of Congress and few duties except to give more readings." Nor does Collins's new publisher hesitate to beat the drum. The dust jacket of *Sailing Alone Around the Room* announces that Collins's "last three collections of poems have broken sales records for poetry." All of this man-bites-dog astonishment condescends to poetry, where such small sums count as fortunes. Yet the very existence of a "popular poet" is reassuring for an art seemingly doomed to ivory-tower irrelevance.

Collins's verse makes clear, however, that his ideal reader is by no means the man on the street. He (or she) is well-educated and well-read, probably an English major, maybe even an M.F.A., who can recognize the surprisingly wide range of reference in Collins's poems: Wordsworth, Stevens, and Frost, Izaak Walton and Duns Scotus, Nick Adams and Emma Bovary. Though Collins often borrows the tones and the strategies of stand-up comedy, his poetry is not all jokes. In fact, he writes out, in a large and babyish hand, one of the major poetic scripts of our time: the one that finds transcendence in the ordinary, and sings hymns to the banal.

The most obvious thing to say about Collins's poetry is that it is funny, in an accessible and immediately familiar way. But his true poetic gift is something more than a sense of humor; it is a genuine, if often debased, wit. Wit is the yoking together of heterogeneous things, and when it is properly used it has an unsettling power. It forces hostile ideas and associations into a disturbing intimacy: Donne's "bracelet of bright hair around the bone," Eliot's "fear in a handful of dust." And while Collins's angle of vision is never genuinely strange, it is skewed just enough to be surprising.

In "Walking Across the Atlantic," he imagines "what/this must look like to the fish below,/the bottoms of my feet appearing, disappearing"—and this precise image does jolt us into seeing from below. Conversely, "The Dead" tries to look down from above: "They watch the tops of our heads moving below on earth,/And when we lie down in a field or on a couch.../they think we are looking back at them." In "The Norton Anthology of English Literature," Collins seizes on the "parentheses that are used to embrace our lives,/as if we were afterthoughts dropped into a long sentence." These are moments of modest but genuine vitality, in which our normal mode of thought and vision is disrupted, and they are gratifyingly frequent in Collins's poetry.

The basis of such wit is taking words literally, seizing on dead phrases and familiar idioms and attending to what they really say. "Walking on water" is a cliché that comes to life when Collins adopts the fish's-eye view and notices the feet, appearing and disappearing on the surface. At its most powerful, this kind of wit is truly creative: if, as Emerson said, every word began life as a metaphor, wit resurrects the metaphor hiding in ordinary words. When Hamlet speaks of the sepulcher's "ponderous and marble jaws," the word "ponderous" is not abstract but weighty, tangible.

True wit startles by attending to the relations of words to things; but it is closely related to mere punning, which is interested only in the relations of words to other words. Donne and Shakespeare were both adept at this lower form:

> I am unable, yonder beggar cries,
> To stand or move; if he say true, he lies.

The sort of thing that we find in Donne's epigram is pleasant in small doses, and it can seem the fine excess of an alert linguistic intelligence. But it is finally of limited interest because it calls attention not to the world, but to the way we speak about the world; it points to the foolish defects of language, which uses the one word "lies" for two different things. To deal only in punning wit even indicates an essential falsehood in the poet's view of his art, as though language were only interesting when it is defective, never when it is a tool of discovery. It is a way of discouraging linguistic curiosity and verbal ambition, without which there is no greatness in poetry.

THIS MAY BE too grave a charge to bring against Billy Collins, who is mainly interested in entertainment. But there is no doubt that Collins's fondness for a certain kind of joke is of a piece with his work's deliberate praise of triviality and laziness. While he seldom makes actual puns, his wit is of the punning kind: he makes idioms ridiculous through inflation, hyperbole, and repetition. A good example is "Schoolsville," from his book *The Apple That Astonished Paris*, which appeared in 1988. The poem begins with a cliché: "I realize the number of students I have taught/is enough to populate a small town." But then, taking the phrase literally, he goes on to imagine that town:

> The population ages but never
> graduates....
> Their grades are sewn into their clothes
> like references to Hawthorne.
> The A's stroll along with other A's.
> The D's honk whenever they pass
> another D.

The ingenuity of the poem lies in extrapolating each feature of school life into the life of the town. And there is no theoretical limit to the number of features that could be seized upon: one can imagine a poem like this going on for pages, one joke after another. Of course, the joke would wear thin eventually, and a part of Collins's talent is knowing when to stop. His poems are generally a page long, seldom more than two. But the very easiness of the joke suggests its limitation: it is funny only because of that initial phrase, "enough to populate a small town." Once we remind ourselves that the target of the joke is merely an expression, the piling up of new details begins to seem a poor use of Collins's wit.

Most of Collins's poems have this same

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additive logic: they are riffs on an initial category-mistake. What if you described the human heart in the language of a museum catalog? Then you would get "My Heart":

> It has a bronze covering inlaid with silver,
> originally gilt;
> the sides are decorated with openwork
> zoomorphic
> panels depicting events in the history
> of an unknown religion.
> The convoluted top-piece shows a high
> level of relief articulation....

And what if you applied the pop-culture nostalgia for recent decades—the 1970s, the 1950s—to the distant past? That is the joke, repeated at least four times, of "Nostalgia":

> Remember the 1340s?
> We were doing a dance
> called the Catapult.
> You always wore brown, the
> color craze of the decade,
> and I was draped in one of
> those capes that were
> popular....

There is a similar technique at work in a different kind of Collins poem, of which "Victoria's Secret" is a good example. Here the humor lies in a more subtle kind of mistake, taking the non-language of advertising as though it were real communication:

> The one on the facing page,
> however,
> who looks at me over her
> bare shoulder,
> cannot hide the shadow of
> annoyance in her brow.
> You have interrupted me,
> she seems to be saying,
> with your coughing and
> your loud music.
> Now please leave me alone;
> let me finish whatever it was I was doing
> in my organza-trimmed
> whisperweight camisole with
> keyhole closure and point d'esprit
> mesh back.

Most obviously, the joke is on the foolish, artificial language of the catalog, which Collins quotes or parodies plentifully in the poem. This kind of deadpan repetition of an absurdity is the key ingredient of contemporary comedy—it is what is now known as irony, to both its enemies and its friends. But more than the language is treated ironically here; the very idea that the model "seems to be saying" anything is a similar irony, because it pretends to take the model seriously as an actual human being, when we know that she is merely a commodity, a simulacrum. And perhaps writing a poem about the Victoria's Secret catalog is itself ironic in just the same way: it means paying attention, a traditionally serious and complex form of attention, to something mindless and evanescent.

This kind of irony serves a necessary function when it comes to warding off the stupidity of mass culture. It is a way for a sophisticated person to acknowledge that he lives among texts and images—such as the Victoria's Secret catalog—with a palpable design upon him, and to signal that he has not succumbed to that design. The snobbish implication of such irony is that there are other people, less sophisticated people, who have succumbed. All of this is an accustomed, though ambiguous, part of contemporary culture.

Billy Collins by Alexandra MacMaster for The New Republic

WHAT MAKES IT objectionable in Billy Collins's poetry is that the target of his belittling, deadpan, superior humor is not only popular culture, but high culture, especially poetry. He has come to lift the burden of seriousness from the shoulders of those who still bear it. His work is aimed at that sizable (though proportionally quite small) population that is familiar enough with literature to have grown jaded about it. But it is impossible, really, to grow jaded about literature, or culture, or history, or spiritual aspiration, all of which are slated for drowning in the cold bath of Collins's irony. One can only fail to be equal to them, and disguise one's failure as condescension.

To see how Collins's small, inoffensive jokes imperceptibly grow into large and offensive ones, consider "Earthling":

> You have probably come across
> those scales in planetariums
> that tell you how much you
> would weigh on other planets.
> You have noticed the fat ones
> lingering on the Mars scale
> and the emaciated slowing up
> the line for Neptune.
> As a creature of average weight,
> I fail to see the attraction....
> How much better to step onto
> the simple bathroom scale,
> a happy earthling feeling
> the familiar ropes of gravity,
> 157 pounds standing soaking
> wet
> a respectful distance from the
> sun.

The initial joke—fat and thin people reach a normal weight by going to other planets—shades into something more like a philosophical statement in defense of earthliness, of literal mundaneness. Life on earth is "better" because it is "happy" and "familiar": these are minimal terms, animal terms, suggesting that the important human needs are simple and easily sated. More, they sound like a wise resignation, as though Collins has refused a Luciferian temptation to go too far from home.

There is nothing inherently wrong with this idea, and in other contexts it has a certain integrity. But in Collins it sounds rather too much like "there's no place like home," which is the motto not of those who return but of those who never leave. And very many of his poems are in praise of effortlessness, in the sense of declining to make an effort. Take "Osso Buco":

> I am swaying now in the hour after
> dinner,
> a citizen tilted back on his chair,
> a creature with a full stomach—
> something you don't hear much about
> in poetry,
> that sanctuary of hunger and deprivation.
> You know: the driving rain, the boots by
> the door,

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small birds searching for berries in
winter.
But tonight, the lion of contentment
has placed a warm, heavy paw on my
chest....

Collins's praise for the pleasures of being lazy, tired, and well-fed is natural enough. What is strange is to suggest that these pleasures are virtues, as though there were something especially meritorious about having eaten a good dinner. But the note of self-congratulation here is unmistakable—the sly use of "citizen" sounds it—and Collins points to its source: it is that such simple sensual pleasures are "something you don't hear much about in poetry." Specifically, it is something you don't hear much about in modern poetry, which has been strongly anti-bourgeois. Rhetorically, then, Collins ranges himself on the side of the reader against "poetry," which doesn't want him to enjoy his dinner. This way, poet and reader can have both sensual pleasure and self-esteem; they can have their osso buco and eat it, too.

Not taking poetry too seriously is a point of pride for Collins, as in "Lines Composed Over Three Thousand Miles from Tintern Abbey":

I was here before, a long time ago,
and now I am here again
is an observation that occurs in poetry
as frequently as rain occurs in life.

The fellow may be gazing
over an English landscape,
hillsides dotted with sheep,
a row of tall trees topping the downs....

But the feeling is always the same.
It was better the first time.
This time is not nearly as good.
I'm not feeling as chipper as I did
back then.

Here we see pop-culture irony returning with a vengeance, except this time its target is one of the most famous poems in English. Collins's scorn is now directed at Wordsworth, who wrote at *Tintern Abbey* of the loss of his childish feeling for nature:

The sounding cataract
Haunted me like a passion: the tall rock,
The mountain, and the deep and gloomy
wood,
Their colors and their forms, were then
to me
An appetite; a feeling and a love
That had no need of a remoter charm,
By thought supplied, nor any interest
Unborrowed from the eye.—That time
is past,
And all its aching joys are now no more,
And all its dizzy raptures.

Those are some of the most canonical lines in English poetry because they express the absolute tragedy of time passing, not sententiously and abstractly, but in a truly artistic way, combining the local and the universal. Just the phrase "a remoter charm by thought supplied" contains a whole psychology of childhood and adulthood. Yet this is the poet Collins addresses as a mere whiner, a "fellow" who complains of not feeling "chipper."

We recognize the same irony previously used to belittle the Victoria's Secret catalog: the deadpan repetition of Wordsworth's ideas, with the clear implication that no one could possibly take such things seriously. Yet it is clearly not the case that Collins is a garden-variety philistine, for whom poetry is just a bunch of nonsense, and there's an end to it. We know that he is, in fact, a poet himself.

So what Collins is really expressing is a discomfort peculiar to the educated: a guilty impatience with the demands of culture. They have read Wordsworth, probably in college; they have an ingrained sense that literature is worthy; but they do not have the time and the patience for a genuine encounter with a work of art. Poems such as "Tintern Abbey" exert a pressure and make a demand, which we are often unable to meet; they expose our distractedness and our triviality. The guilt of such a failure can be dealt with in two ways: it can be acknowledged as legitimate, and spur us to more serious reading in the future; or it can be illegitimately turned back on the work of art that induced it. Collins's irony at Wordsworth's expense is such an act of self-defense.

That irony finds an even bigger target in "The Death of Allegory":

I am wondering what became of all those
tall abstractions
that used to pose, robed and statuesque,
in paintings
and parade about on the pages of the
Renaissance
displaying their capital letters like license
plates....

They are all retired now, consigned to a
Florida for tropes.
Justice is there standing by an open
refrigerator.
Valor lies in bed listening to the rain....

Even if you called them back, there are
no places left
for them to go, no Garden of Mirth or
Bower of Bliss.
The Valley of Forgiveness is lined
with condominiums
and chain saws are howling in the
Forest of Despair.

Here on the table near the window is
a vase of peonies
and next to it black binoculars and
a money clip,
exactly the kind of thing we now prefer,
objects that sit quietly on a line in lower
case,

themselves and nothing more,
a wheelbarrow,
an empty mailbox, a razor blade resting
in a glass ashtray....

The problem that Collins approaches here is one of the central concerns of twentieth-century poetry: "what to make of a diminished thing," as Frost put it, or Stevens's effort to see "nothing that is not there." Allegory, which was merely antique in the nineteenth century, became a vital problem for the modernist poets because it is a system that guarantees meanings, thus a standing challenge in a time when meanings are relative or absent. Eliot in particular tried to make modern readers understand that Dante's Christian allegory is not a childish algebra, but a style of thought now beyond our power.

In Collins's poem, this history and this challenge are drained of tension and urgency, and reduced to another chunk of irony. Allegorical figures such as Truth and Valor are just "capital letters" like those found on license plates: mere typographical conventions. Once they "paraded about" in an unforgivable display of conceit, but now they are safely ridiculous, "standing by an open refrigerator" in an old-age home. Our littleness is assuaged by "objects that sit quietly on a line in lower case," which mean nothing larger than themselves; we can even pride ourselves on our realism. Again, Collins is out to assure us that we need not take the past and its ambitions too seriously.

This idea escapes the charge of mere philistinism because poets, for the last fifty years or more, have been saying *something similar*. For many serious minds, the best response to the death of religion has been to donate its dignity to the secular world. The passionate observation of the ordinary is a way to endow it with the significance it otherwise lacks. Thus Czeslaw Milosz in "One More Day":

The voices of birds outside the window
when they greet the morning
And iridescent stripes of light blazing
on the floor,
Or the horizon with a wavy line where
the peach-colored sky and the
dark-blue mountains meet.

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Or the architecture of a tree, the slimness
of a column crowned with green.
All that, hasn't it been invoked for
centuries
As a mystery which, in one instant,
will be suddenly revealed?

Those "objects that sit quietly on a line in lower case" are transformed, through intent meditation, into a mystery. The idea is not new, of course—it is what Auden called the "Vision of Dame Kind," and found characteristic of northern European, Protestant mystics; but it has found new uses in our time. These uses are mainly reactive. Against the death of religion, it asserts the holiness of common things; against the failure of allegory, it asserts the intelligibility of nature; against the violence of totalizing ideology, it asserts the dignity of the particular. But this means that all these contexts must be borne in mind for such secular piety to have integrity. Poets such as Milosz, and his compatriot Adam Zagajewski, arrive at their simplicity through complexity.

So there is simplicity and there is simplicity. Collins offers only simplification. He makes bare assertions as if they were hard-won illuminations. Milosz, in his poem "Secretaries," declared that "I am no more than a secretary of the invisible thing/That is dictated to me and a few others." This is a translation of the concept of inspiration into modern secular terms. Collins uses a deceptively similar metaphor in "Tuesday, June 4, 1991":

By the time I get myself out of bed,
my wife has left
the house to take her botany final and
the painter
has arrived in his van and is already
painting
the columns of the front porch white
and the decking gray.
It is early June, a breezy and sun-riddled
Tuesday
that would quickly be forgotten were it
not for my
writing these few things down as I sit
here empty-headed
at the typewriter with a cup of coffee,
light and sweet.
I feel like the secretary to the morning
whose only
responsibility is to take down its bright,
airy dictation....
If I look up, I see out the window the
white stars
of clematis climbing a ladder of strings,
a woodpile,
a stack of faded bricks, a small green
garden of herbs,
things you would expect to find outside
a window,
all written down now and placed in the
setting
of a stanza as unalterably as they are
seated
in their chairs in the ontological rooms
of the world.

This, too, is bowing down before the concrete and the ordinary. But there is nothing dialectical about Collins's love of trivia; it is precisely the lack of difficulty, the loss of mentality, that appeals to him in the role of stenographer. It is not the luminosity of the homely, but its homeliness, that he celebrates. The clematis and the bricks are not the occasion of epiphany; they are simply there, "things you would expect to find." All the poet has to do is affirm that, indeed, they are there; to write down what happens to happen, "an unpaid but contented amanuensis." The quality of Collins's attention is not mystically intense, but breezily journalistic. With such a conception of poetry, it is no wonder that any past poet who has striven for a high degree of tension, in mind and language, looks like a fool.

One of the new poems included in *Sailing Alone Around the Room* gives the best explanation so far of what Collins believes his poetry is about. It is the amusingly titled "Reading an Anthology of Chinese Poems of the Sung Dynasty, I Pause to Admire the Length and Clarity of Their Titles." In it, Collins contrasts poems like Sun Tung Po's "Viewing Peonies at the Temple of Good Fortune on a Cloudy Afternoon" and "On a Boat, Awake at Night" with other titles, whose time and place we can guess:

There is no iron turnstile to push against
here
as with headings like "Vortex on a String,"
"The Horn of Neurosis," or whatever.
No confusingly inscribed welcome mat
to puzzle over....
How easy he has made it for me to enter
here,
to sit down in a corner,
cross my legs like his, and listen.

Modernist poetry, Collins's mock titles suggest, is pretentious and willfully obscure; it puts the reader off with its self-infatuated snobbery. Naturally, Collins prefers the lucid and limpid poems of the Chinese. But this is a false choice, because nothing in his work suggests that he even acknowledges that there is a place for difficulty in poetry. His amused indifference resembles wisdom only as death resembles life.

And perhaps he knows it. One of the new poems in this volume, "The Flight of the Reader," voices a self-doubt heretofore unknown in Collins's work. Why do his readers "stay perched on my shoulder"?

Is it because I do not pester you
with the invisible gnats of meaning,
never release the whippets of anxiety
from their crates,
or hold up my monstrous mirror,
a thing the size of a playing field?

Meaning, anxiety: can those gnats ever climb the bestseller list? Perhaps Billy Collins, with his large audience and his particular gifts, will be the poet to find out. ■

Not Deciding

By CASS R. SUNSTEIN

Playing It Safe: How the Supreme Court Sidesteps Hard Cases and Stunts the Development of Law by Lisa Kloppenberg

(New York University Press, 304 pp., $38)

FOR MANY YEARS, Israel's General Security Service has engaged in certain forms of physical coercion, reasonably described as torture, of suspected terrorists. Suspected terrorists have been repeatedly shaken, in a way that causes their heads and necks to dangle and to vacillate rapidly. They have been tied in chairs for long periods of time, their heads covered in opaque and foul-smelling sacks, while very loud music is played. They have been deprived of sleep and subjected to other forms of physical harassment, designed to elicit information about terrorist activities. According to the General Security Service, these practices have occurred only in extreme

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cases and as a last resort, when necessary to prevent terrorist activity and significant loss of life.

In 1999, the practices were challenged before the Supreme Court of Israel on the ground that they were inconsistent with the nation's fundamental law. The government responded that abstractions about civil liberties should not be permitted to overcome real-world necessities, so as to ban a practice that was, in certain circumstances, genuinely essential to prevent massive deaths in an area of the world that was often subject to terrorist activity. According to the government, physical coercion was justified in these circumstances. A judicial decision to the opposite effect, the government argued, would be a form of unjustified activism, even hubris.

In deciding the case, the Supreme Court of Israel refused to resolve the most fundamental questions. Indeed, it avoided them. The court held that the practices were unlawful, but through a narrow route. The court's principal argument was that the disputed practices could not be imposed by the executive branch alone, but must be endorsed by the national legislature, after a full democratic debate on the precise question. "[T]his is an issue that must be decided by the legislature branch which represents the people," the court ruled. "We do not take any stand on this matter at this time. It is there that various considerations must be weighed."

This approach to contested issues is not unusual, for courts often try to avoid the hardest issues. In the 1950s, when the United States was in the midst of the Red Scare, the secretary of state banned members of the Communist Party from traveling abroad. The ban was challenged under the Constitution, on the ground that it violated both freedom of speech and the right to travel. The largest question in the case was whether the Constitution permitted the U.S. government to deny a passport to Communists. That question was bitterly contested. Yet the Supreme Court avoided it. The Court ruled more narrowly, saying that the secretary of state could not act on his own, and that if people were going to be banned from leaving the United States because of their political convictions, it was necessary that Congress should specifically authorize him to make the decision.

Under conditions of war, is the government permitted to restrict civil liberties? In the aftermath of terrorist attacks, is racial profiling constitutionally acceptable? Or, put war and terrorism to one side. Can public universities adopt affirmative action programs? Is it permissible to segregate high schools on the basis of sex? When can government discriminate against gays and lesbians? Does the free speech principle ban the Federal Communications Commission from requiring broadcasters to provide educational programming for children? These are fundamental questions. But after all these years, the Supreme Court has not given anything like clear answers to them.

IN WASHINGTON AND elsewhere, lawyers are now scrambling to bring the Court's ambiguous decisions to bear on the national effort to combat the risk of terrorism. But this is just the tip of the iceberg. Lawyers have long been struggling to figure out when, if ever, affirmative action programs are acceptable. They have not been able to discern clear rules because the Supreme Court's decisions have been carefully limited to particular facts. For ordinary citizens, as well as for lawyers and law students, the uncertainty is a source of frustration, even exasperation. Why won't the Court just tell us what the Constitution means? Why does the Court avoid many fundamental issues? To answer these questions, we need to step back a bit.

Emphasizing the value of clarity, some justices try to develop clear rules. Hugo Black, the great civil libertarian of the Warren Court, contended that the law of free speech was, or should be, simple and clear. The First Amendment says that Congress shall make "no law abridging" the freedom of speech; and Black insisted that these simple words dispose of almost all free speech disputes. But Black's preference for rules was not limited to free speech. In areas ranging from the separation of powers to privacy, Black tried to apply broad principles that would guide the future.

In this regard, Antonin Scalia is Hugo Black's heir. In 1989, Scalia published a powerful lecture, "The Rule of Law as a Law of Rules," the title of which nicely captures his aspiration for the law. Scalia wants courts, no less than legislatures, to set out rules that will make life simple for lower courts, litigants, and ordinary people. Like Black, Scalia is an "originalist," believing that the meaning of the Constitution is settled by those who originally ratified it. A large part of Scalia's defense of originalism is that it promises to reduce uncertainty and to create (in his words) a "rock-solid, unchanging Constitution."

But most of the time the Rehnquist Court has refused to follow Scalia's lead. The Court has not embraced originalism. Moreover, the Court has usually ruled narrowly rather than broadly, leaving many areas unsettled. There is considerable uncertainty not merely in the areas described above, but also regarding government's power to regulate the Internet, to restrict the rights of private-property owners, and to create voucher systems in education (an issue that the Court may finally resolve this year). What is the source of this uncertainty? The main answer lies in the Court's frequent use of various techniques of "avoidance," by which it refuses to decide many of the hardest questions.

LISA KLOPPENBERG DOES not believe in avoidance. She wants the Court to resolve controversial issues and not to duck them. She asks the Court "to develop, rather than avoid, constitutional law." She contends that by adopting a new presumption against avoidance, the Court can promote "guidance, development and greater uniformity in federal constitutional law." Much of her book consists of somewhat exasperated chapters showing how the Court has refused to decide cases and to unpack legal complexities. She covers a wide range of problems, including environmental law, race discrimination, sex discrimination, discrimination on the basis of sexual orientation, and federalism. Kloppenberg has provided the first sustained attack on the long-standing judicial practice of avoidance in at least a generation. For that reason alone, her argument deserves careful attention.

Her book treats two kinds of avoidance strategies, and it is important to distinguish between them. In some cases, the Court refuses to rule at all, finding some kind of procedural barrier that leads it to dismiss the case. Kloppenberg emphasizes that procedural barriers have played a large role in cases involving environmental protection, racial discrimination, and laws declaring English to be the "official language." But a different kind of avoidance occurs when the Court does decide the particular case before it, but issues narrow opinions that do not sort out the law for the future. This approach characterizes many judicial opinions involving civil liberties and national security; it also plays a role in recent Supreme Court decisions involving affirmative action, sex discrimination, and discrimination on the basis of sexual orientation. Here we can find a form of judicial "minimalism," which Kloppenberg generally deplores.

For an example of a procedural barrier, consider the somewhat exotic requirement of "standing." You cannot get into a federal court simply because you object to some practice, or even believe, with reason, that the practice is unlawful. You have to show that as a result of the practice, you have been personally harmed, and suffer what courts call an "injury in fact." It follows that if you live in New

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York, you cannot bring suit against a public official in California for acts of racial discrimination unless you can show that the alleged acts of discrimination have injured you in particular.

Kloppenberg shows that the requirement of an "injury in fact" has had some real importance in the environmental area. Consider a case in which a well-known environmental group, the Defenders of Wildlife, brought suit against the Department of the Interior, objecting to its refusal to apply the Endangered Species Act to acts of the U.S. government in foreign nations. Were members of the Defenders of Wildlife injured by this refusal? Two members claimed that they were. They went so far as to sign affidavits claiming that they had a professional interest in seeing certain endangered species, which, they contended, would be harmed by specific projects of the United States abroad.

But the Supreme Court refused to hear their claims. It said that the affidavits were too vague and general, since no one had any definite plan to observe the species. Kloppenberg complains that this is hypertechnical; she thinks that the Supreme Court should have taken the opportunity to resolve the important question of whether the Endangered Species Act applies outside the boundaries of the United States. "Given Congress's stated purpose in enacting the ESA," Kloppenberg urges that the Court should not have avoided the issue. More generally, she objects that "the Supreme Court has impeded citizen suits by environmentalists in the last twenty-five years," thus stifling "the evolution of environmental law."

THE REQUIREMENT OF "injury in fact" applies generally; it is hardly limited to environmental cases. The requirement has stopped the Supreme Court from responding to some complaints about racial discrimination. *Allen* v. *Wright*, in 1984, involved a suit by parents of African American children attending public schools. The parents challenged certain regulations by the Internal Revenue Service allowing charitable deductions to go to private schools that discriminated on the basis of race. The Court ruled that the parents lacked standing because they could not show that they were concretely affected by the IRS policy. For this reason, the Court refused to decide whether the IRS policy was lawful. Here, too, Kloppenberg objects to the Court's avoidance strategy. She contends that the IRS faced "an intense, politicized environment," and that "it was important to keep the federal courts involved. Particularly through the appellate process, they could have provided an important voice on the constitutional equality issue."

To Kloppenberg's dismay, the Court has also declined to resolve legal controversies over state laws that make English a state's "official language." Do these laws violate the federal Constitution? Maria-Kelly Yniguez, an insurance claims manager for the state of Arizona, argued that they did, because they violated her First Amendment right to speak to her clients in Spanish, and also discriminated against Hispanic-Americans. After the lawsuit was filed, Yniguez left government service, and she no longer had a stake in the controversy by the time the case reached the Supreme Court. The Court found that the case was "moot" and refused to decide it.

In a striking opinion by Justice Ruth Bader Ginsburg, the Court went well beyond dismissal. It also insisted that federal courts should try to avoid difficult constitutional issues, by sending ambiguous issues of state law to the state courts for clarification. In the Yniguez case itself, it was not clear whether the particular English-only law applied only to official documents and acts, or whether it applied more broadly to all speech by government employees. The Court emphasized that if it applied narrowly, people like Yniguez would be unaffected and have no complaint at all. The Court suggested that if federal courts sent the dispute to the Arizona state courts for clarification (the technical term for this procedure is "certification"), they might well have avoided the constitutional problem altogether. Kloppenberg dislikes this avoidance strategy, too, urging that it leads to unjustified delay and uncertainty. Among other things, "the current Court is unlikely to give fast and efficient relief to the problem of inconsistent rulings" among lower courts.

KLOPPENBERG RIGHTLY emphasizes that the area of affirmative action is characterized by narrow, case-specific holdings. The Supreme Court was first asked to decide on the constitutional status of affirmative action programs in the early 1970s. Nearly thirty years later, the law continues to have a great deal of uncertainty. The reason is that the Court has decided relatively few cases, and its decisions have been cautious and inconclusive, avoiding broad pronouncements. In the famous *Bakke* case, in 1978, the Court was asked to rule on the constitutionality of an affirmative action program for medical school; the case was resolved by a badly splintered Court, lacking a majority opinion.

The apparent "rule" of the case was that universities may use race as a factor in admissions, but may not create rigid quotas. This idea obviously leaves open many questions. In the decades since *Bakke*, the Court's decisions have turned not on clear rules, but instead on a somewhat unruly set of relevant factors. In the late 1990s, the Court declined an opportunity to clarify the law involving affirmative action in education. As a result, there is still a high degree of uncertainty about the law governing affirmative action. Kloppenberg acknowledges that some justices are nervous about an authoritative pronouncement and "likely prefer that other constitutional actors resolve this difficult question, even on a piecemeal basis with local differences." But she complains that the "Court's avoidance renders this part of Equal Protection law confusing and stalls its development in any direction."

KLOPPENBERG IS EQUALLY frustrated by the Court's ambiguous signals about discrimination on the basis of sexual orientation. Here, as elsewhere, she wants the Court to tell us what the Constitution means. In fact the Court declined for many years to address the issue at all. In 1984, the Court decided *Bowers* v. *Hardwick*, holding that the Constitution allowed states to criminalize acts of sodomy among homosexuals. (The Court did not decide the question of whether heterosexual sodomy could be criminalized.) Since that time, the Court has decided only a single relevant case, *Romer* v. *Evans*. There the Court struck down an unusual Colorado law, one that banned localities from enacting ordinances to forbid discrimination on the basis of sexual orientation. In invalidating the Colorado law, the Court objected that it was based on an unacceptable "animus" against gays and lesbians; but the Court's opinion was narrow and cryptic, offering little guidance for the future. Kloppenberg applauds the Court's result, "because the Court protected a sexual minority group that has long been, and continues to be, subject to discrimination in the majoritarian political process"; but she objects to "the Court's silence about important elements of the gay rights controversy" and to the "substantial confusion" that the Court has created. She compares the ambiguous signals of the United States Supreme Court with the much greater clarity of the Vermont Supreme Court, which ruled in 1999 that the state must provide the benefits of marriage to same-sex couples. In the same vein, she objects to the confusing opinions in cases involving sex equality and abortion, where the Court has also "steered an indistinct middle course."

As a sharp contrast, Kloppenberg explores what she describes as the Court's "aggressive expansion of states' rights."

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Whereas most of her book deals with the Court's "purported passivity," she thinks that the Court has done something very different in the domain of federalism. In this domain, she urges, the Court has "eagerly accepted federalism challenges and developed new constitutional law," most of it unfavorable to Congress. Several of the key cases involve Congress's power to regulate "Commerce ... among the several States." Between 1937 and 1995, the Court *never* invalidated an act of Congress under the commerce clause.

Instead, it held that Congress had broad authority to control any problem—labor unrest, racial discrimination, crime—that seemed to have any connection at all to interstate commerce. In 1995, however, the Court struck down the Gun-Free School Zones Act, which banned the possession of a gun within one thousand feet of a school. The Court was unable to find a substantial connection between the ban and interstate commerce. And in 1999 the Court went much further, striking down a provision of Violence Against Women Act creating a right to sue for victims of gender-motivated violence. The Court rejected explicit congressional findings, based on extensive testimony that such violence did indeed affect interstate commerce.

THE COURT'S RECENT skepticism about congressional power, and its willingness to decide large issues of federalism, has not been limited to the commerce clause. Section 5 of the Fourteenth Amendment gives Congress the power to "enforce ... by appropriate legislation" the provisions of that amendment. In the last decade, Congress has tried to use this provision to ban discrimination on the basis of age, disability, and religion; but the Supreme Court has significantly limited Congress's power. Thus the Court concluded that Congress could not, under the Fourteenth Amendment, allow victims of sex-related violence to sue in federal court. In the Court's view, Congress could not reach private violence without overstepping its bounds. In an especially striking ruling, the Court also invalidated the Religious Freedom Restoration Act, which would have strengthened people's right to be free from discrimination on the basis of religion. Nor is this all. The Court has held that Congress could not apply the Age Discrimination in Employment Act to state universities, concluding that Congress could not use the Fourteenth Amendment to ban age discrimination.

Kloppenberg disagrees with those decisions as a matter of principle. She finds the "substantive rulings in the federalism area unconvincing and overly simplistic." Yet the subject of her book is avoidance, and she much likes the fact that the Court has been "decisive," ensuring a "robust lawsaying role" that "offers guidance, promoting uniformity and predictability in constitutional law nationwide." In a brief conclusion, she argues that the Court should adopt a firm presumption against avoidance, on the ground that "the Court's contribution is an essential part of a vibrant dialogue that will help keep our Constitution meaningful over time."

KLOPPENBERG'S BOOK HAS some real virtues. She is a careful, even painstaking scholar, and she does a fine job of exploring the current Court's many attempts to avoid the most controversial and difficult issues. She is entirely right to link the Court's interest in issuing narrow rulings with its occasional refusal to rule at all. She is also right to suggest that in the federalism cases, the Court has often proceeded quite aggressively. Of course Kloppenberg does not deal with the currently pressing issue of civil liberties when national security is threatened. Still, it is reasonable to speculate that the Rehnquist Court would be interested in strategies of avoidance there, too. Indeed, Chief Justice Rehnquist wrote a remarkable book on exactly that subject in 1998, in which he made many arguments on behalf of judicial avoidance of the hardest issues during wartime. Rehnquist emphasized in particular the fact that the nation's understanding of civil liberties is different when national security is at stake. He did not argue in favor of judicial abdication, but he seemed to favor a cautious judicial role, offering sympathetic discussion of cases in which courts postponed decisions and avoided the most difficult questions—for example, by requiring congressional approval of liberty-infringing decisions by the president. Kloppenberg convincingly shows that the Rehnquist Court uses avoidance in many domains.

Yet there is a significant gap in Kloppenberg's analysis, and she does not offer anything close to an adequate discussion of the reasons for avoidance. The gap first. Kloppenberg writes as if the Rehnquist Court were distinctly or unusually inclined to avoid deciding controversial issues. But she does not demonstrate that the current Court uses strategies of avoidance more often than its predecessors. Indeed, she does not even investigate the issue. But judicial avoidance has been with us since the beginning, playing a role in the era of John Marshall and in the era of Earl Warren and in every era between. In 1962, Alexander Bickel wrote *The Least Dangerous Branch*, a book celebrating "the passive virtues" by which the Court refuses to decide cases. Bickel emphasized the importance of procedural barriers throughout the Court's history. Writing decades before the Rehnquist Court, and under the evident influence of his mentor Felix Frankfurter (the Warren Court's Chief Avoider), Bickel urged that the Supreme Court's law-saying role was, and would be, tolerable only if the Court intervened selectively and avoided frequently.

In any event, narrow and unambitious rulings have been central to the elaboration of constitutional rights. The modern law of free speech was built not in a year or even in a decade, but through a century of mostly incremental decisions. Even the ban on racial segregation in schools was issued not as a bolt from the blue, but after a long series of cases establishing that separate was not equal in certain circumstances. Nor should the incrementalism of American constitutional law be surprising. American courts follow the common law method, which produces law through close encounters with particular cases. Much constitutional meaning is produced in just this way.

BUT THE MOST important problem is that Kloppenberg has not justified her general antagonism toward avoidance. Of course guidance by general rules is good. But it is not so good to be guided by stupid rules. Kloppenberg does not carefully examine the reasons for avoidance, or sort out the circumstances in which avoidance does and does not make sense. There are practical reasons for avoiding decisions, and there are reasons of principle, too.

Begin with a simple fact: diverse people often have difficulty in achieving agreement on a general rule that will guide the future. The Supreme Court consists of nine people, and they frequently disagree with one another. Even if members of a multi-member body are able to agree on how to dispose of a particular problem, they might well be unable to agree on general rules. Sometimes they are able to settle a particular problem only if they agree to leave future issues undecided. This is a familiar point for international negotiators and for Congress; and the point holds among spouses and in families, too. When the Supreme Court "plays it safe," it is often because five people are not able to agree on a more contentious ruling. I suspect that in the areas of affirmative action and sex equality, uncertainty in the law has been in large part a product of the difficulty of achieving consensus on a multi-member court.

There are other practical issues. Even if an internal consensus emerges, and even if the Court's majority is confident that it is right, it might hesitate to impose a broad rule on the nation, for the simple reason that the nation might be reluctant

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to go along. Consider an infamous example. In 1959, the Court refused to strike down a law banning racial intermarriage—not because the Court thought that the law was constitutionally acceptable, but mostly because the Court was fearful of an adverse public reaction, one that would be especially damaging while the nation was in the midst of an intense controversy over school desegregation. Kloppenberg does not like this sort of thing. She is skeptical about "avoidance predicated on concerns about a hostile reaction to the courts." But why? Under difficult or unusual conditions, there is nothing dishonorable about judicial efforts to prevent constitutional rulings from being futile or counterproductive. Sometimes discretion really is the better part of valor.

BUT THESE ARE not the strongest arguments for avoiding hard issues. When justices refuse to decide, or when they rule narrowly, it is often because of a salutary humility—a belief that at a particular moment they are not in a good position to bind the future. For one thing, they might lack indispensable information. Imagine that you are a judge, and you are asked to strike down the military's policy of "don't ask, don't tell" on the ground that it discriminates against homosexuals. In your heart of hearts, you might believe that the policy reflects simple prejudice and should be eliminated; but you might also be hesitant to decide the issue if the government insists that military preparedness really requires the policy. In these circumstances, a reasonable judge might try to avoid the issue, neither upholding nor invalidating the policy. Certainly judicial humility helps account for courts' general unwillingness, during periods of war, to strike down practices reasonably defended on grounds of national security. Sometimes courts have undoubtedly been too humble; but the strategy of avoidance cannot be condemned across the board.

Now suppose that you are asked to come up with rules to govern the constitutional status of affirmative action programs. In this context, judges might lack relevant information. They might also lack full confidence in the underlying judgments of value. If so, they might well proceed incrementally, limiting their decisions to particular facts. Some cases are easy, of course. Rigid quota systems seem unacceptable, but a college with a long history of racial discrimination is certainly entitled to create a minority outreach program. But what of the innumerable programs that fall between these poles? A sensible judge might try to build the law up through close encounters with particular facts, and refuse to rule broadly for a long time. Such a judge might also want to learn from experience, seeing how various practices actually work in the world.

What is true of affirmative action is true of many other areas. Consider government efforts to regulate speech (conspiracies? threats? child pornography?) on the Internet; or sex segregation in education (on athletic teams? for high schools?); or even racial profiling (is it entirely clear that courts should strike down, today, all practices falling within that category?). Having no monopoly on wisdom, moreover, judges might well want to listen, with some care, to the views of other branches of government before committing themselves to a particular view of the Constitution. Avoidance is often a product of a healthy judicial interest in allowing Congress, the president, and the states to have their say. Indeed, the very structures of litigation—the procedures of courts themselves—encourage narrow judgments. Litigants typically focus on their own circumstances and their own plight. They have little incentive to discuss other people's problems. It is no wonder that judges, in the process of deciding the case at hand, will be reluctant to attempt to answer questions on which the parties have provided little or no information.

Many people want the meaning of the Constitution to be stable, and there is much to be said on behalf of stability. But as a matter of actual practice, American constitutional law has depended on changing understandings of both facts and values. The understandings of free speech, privacy, federalism, and racial discrimination are very different today from what they were thirty years ago, and they will certainly be different thirty years hence. Kloppenberg appears to like changes in constitutional understandings, but she does not sufficiently appreciate the extent to which changes are made possible only by narrow rulings and even avoidance.

NONE OF THIS demonstrates that the Rehnquist Court has struck the best balance between openness and closure, or that Kloppenberg is wrong to argue against avoidance. The real problem is that Kloppenberg has not explained when avoidance is sensible and when it is not. We could make a lot more progress here. The argument on behalf of clarity is greatly strengthened when the particular area calls for advance planning and when judges have (and are entitled to have) considerable confidence in their views. Some domains of the law do require a high degree of settlement. The rules of contract and property law must be clear in order for a market economy to function. When people need to make many decisions in a short time, they really do need clear rules, laid down in advance. In such circumstances, it is more important for the law to be settled than for it to be settled well. But is it really so bad if the precise status of affirmative action programs remains unclear, and if the Court has resolved only the easiest cases? Is it really so awful if we do not know exactly what government can do to protect national security during wartime?

Judicial confidence is important, too. In *Brown* v. *Board of Education*, the Court issued a flat rule against racial segregation in education; the Court did so in part because it had dealt with that problem for a number of years, and it had, and was entitled to have, considerable faith in its conclusion. The Constitution is now understood to forbid most forms of sex discrimination as well, not because the Court issued a broad prohibition when it first confronted the problem, but because the Court finally became confident of the prohibition after a long series of encounters with discriminatory policies. Compare cases involving regulation of speech on the Internet. In this matter it may be too early to commit the nation to settled principles. Indeed, the uncertainty of the law governing civil liberties during wartime is partly a product of the fact that judges do not know exactly what government should be able to do. Of course the most clear and egregious constitutional violations should be struck down. But in the genuinely hard cases, the uncertainty is even salutary, because it allows for a degree of openness and contestation in public debate.

Lisa Kloppenberg is right to object that the Supreme Court sometimes underrates the need for guidance and clarity. But if judicial judgments are imperfect, and if democracy has its own claims, then avoidance should not be taken as either coyness or cowardice. It should be seen instead as an indispensable aspect of a system in which deliberation about rights and structures is a widely shared endeavor. ■

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WASHINGTON DIARIST

The Incoherence

EVERYWHERE I TURN, I meet opinions about Islam. I confess that I do not have one myself. I am not sure how to form one. The notion itself seems a little fatuous. Since I know what it is to know a tradition, I know what it is not to know a tradition. I read the Koran a long time ago, and like all scriptures that are read as if they are books this scripture left me respectfully bewildered. In my studies of medieval Jewish philosophy, I was introduced to the *mutakallimun*: I never quite got a fix on the highly active intellects of Al-Farabi and Ibn-Sina, but I pondered avidly the clash between the wild unreason of Al-Ghazali and the wild reason of Ibn-Rushd, between *The Incoherence of the Philosophers* and *The Incoherence of the Incoherence*. In Ibn Khaldun I found more intellectual grandeur than in almost any medieval work that I knew. Massignon's volumes on Al-Hallaj were as exciting as anything in Scholem. But that (and a few standard works of history) is about it. All these sources I read in translation. I do not possess any of the languages in which Islam lives. I have no way of knowing what is happening in the madrassas. The true peace that stole upon me one afternoon at the Sultan Hassan mosque in Cairo was just a kindness to a stranger. And yet I have no interest in the public intellectuals—are there any private intellectuals?—swarming around the cameras and the opinion pages now, peddling the surahs that accord with their politics. I recognize this trawling through a tradition for edification and expedience from my own community. But a religion cannot be adequately comprehended from the standpoint of politics, not even a politicized religion. Anyway, every great religion must give sustenance to every kind of soul, and so must contain everything. I have never heard of a religion that does not prohibit murder, and I have never heard of a religion that has not justified murder.

BUT THIS CANNOT BE THE END OF THE matter. If I cannot have a conviction about Islam, I can have a conviction about murder. And I do not have to master Arabic or Farsi or Urdu or Pashto to grasp that there is a current in Islam that is furiously justifying and planning and committing murder. No, it was not Islam that took the towers down; but it was not Episcopalianism, either. The terrorists are waging a war of ideas, and the ideas upon which they are acting are ideas in the Islamic tradition. This seems perfectly plain. But it is not perfectly plain: there are those who wish to deny the religious character of Al Qaeda's violence, so as to transform bin Ladenism into another variety of anti-colonial protest. Thus Tariq Ali, in the hilarious October 4 issue of the *London Review of Books*, the one with the parade of progressive professors adrift in an ether of representations and signifiers, has referred to the butchers in New York as "propagandists of the deed," so as to cleanse them of their embarrassingly theological reasons and to confer upon them the profane glamour of revolution, of Bakunin and Berkman and Vautrin and Hyacinth Robinson—a Western aura for the adversaries of the West. Must it really be pointed out that Mohammed Atta and his colleagues were not animated by an inflamed secularism, that they were not driven to their crime by a hatred of tyrannical government? But nothing changes a regressive creed into a progressive creed so quickly as the appearance within it of anti-Americanism. Despise the United States and you can despise your women, too.

BUT THIS ALSO CANNOT BE THE END of the matter. Osama bin Laden may be fighting a religious war against the United States, but the United States is not fighting a religious war against Osama bin Laden. Much has been written recently about the essential difference between the fundamentalist dispensation in religion and the American dispensation in religion. They tolerate only those who believe in God as they do, but we tolerate also those who do not believe in God as we do. This is certainly the case; but it is philosophically and historically imprecise. We tolerate also those who do not believe in God at all. This is not a war about how to pray, it is a war about how to live. There are godless and godful Americans in uniform being deployed in Central Asia, and they have been dispatched to those punishing places to act on behalf of a wounded society for which metaphysics is not a condition for justice. Sometimes, indeed, metaphysics is an impediment to justice. The history of warfare demonstrates this: the just wars have generally not been the religious wars.

IT IS TRUE THAT THE AMERICAN innovation in religion has been to call democracy divine. "As He died to make men holy, let us die to make men free": is there a more perfect expression of the New World's improvement upon the Old World than the equation between holiness and freedom in the concluding stanza of "The Battle Hymn of the Republic"? The anthem has been moistening many eyes in the weeks since the black day. My own eyes included, and I do not believe that he died to make men holy. So it is worth remembering that the religious motive for democracy holds only for the religious, and we are not all religious, and we are all democratic. I would say even this: democracy understood as obedience to God is democracy misunderstood. Democracy represents a rupture in the theological account of authority. It promotes the reality of freedom over the explanation of freedom. Did God make us free? There are those who think so. But if we are free, then we are free also against God. And for this reason, too, let us die to make men free.

SUCH IRRELIGIOUS (BUT NOT ANTI-religious) thoughts are more practical than they seem. In the current discussion of Islam and politics, two possibilities are proposed for the societies of the Islamic world. Against the indecent religious thinking of Osama bin Laden and Mullah Omar, expert after expert testifies to the decent religious thinking of other figures in contemporary Islam. Does this Koranic verse enjoin war? Then that Koranic verse enjoins peace. The unchallenged premise of both sides in this debate is that the social and political arrangements of the Islamic world must forever establish themselves in holy writ. There is rule by radical imams and there is rule by moderate imams. What about rule by no imams at all? In Turkey, in Iran, in Egypt, in Pakistan, in Jordan, in Indonesia, and elsewhere, there are many men and women who wish only to get on with a free and prosperous life, and who are prepared to endure the dislocations of the liberal rupture. Those dislocations are severe, even if we no longer recall them vividly in the West; and the fundamentalisms of the Islamic world may be understood as an attempt to avoid them at all costs. The sanctity-soaked reactionaries are desperate to persuade their societies that modernization is apocalypse. (In this respect, their dogma does not differ significantly from the dogma of certain academic theorists that modernization is imperialism.) Now they will try to persuade their societies that Operation Enduring Freedom is apocalypse. But they are about to experience the wrath of the unapocalyptic. With God or without God, with God and without God.

LEON WIESELTIER

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There They Go Again: More School Choice Falsehoods

The Supreme Court recently announced that it will rule next year on the constitutionality of Cleveland's school voucher program. Voucher opponents responded with a new round of distortions and misleading half-truths about school choice.

For example, on the day of the Court's decision, National Public Radio (NPR) legal correspondent Nina Totenberg interviewed school choice opponent Sandra Feldman, president of the American Federation of Teachers (AFT). Feldman told NPR listeners that in "the same year that the [Cleveland] voucher program was put in place, the funding for kindergarten was taken away from the Cleveland public schools."

Parental School Choice is Widespread — Unless You're Poor.

Wrong. Directly contradicting Feldman's assertion, AFT's top researcher, F. Howard Nelson, has disavowed any link between Cleveland's school choice program and kindergarten reductions. In an October 4 conversation with a Marquette University researcher, Nelson stated:

"It would be impossible to argue that vouchers came along and [Cleveland] lost money and had to cut kindergarten....There is no causal relationship between vouchers and kindergarten" in Cleveland.

Nelson's correct. The fact is that every elementary school in the Cleveland district had half-day kindergarten in the year that the voucher program began, according to Alan Seifullah, Chief Communications Officer for the Cleveland Municipal School District.

There's much more. It turns out the public school kindergarten program in Cleveland actually *expanded* a year after the start of school choice there. Since the 1997-98 school year, every public elementary school has offered all-day kindergarten, Seiffulah said.

Clearly, the start of Cleveland's voucher program did not harm kindergarten. And, interestingly, when half-day kindergarten was increased to full-day, the *Cleveland Plain Dealer* reported school district "officials hope that parents who might otherwise spend money to send their children to private or parochial schools will be lured by the free, full-day program."

In sum, Feldman presented misleading information during the September 25 NPR broadcast. Expect more distortions between now and a Supreme Court decision on Cleveland's program. Based on past practice, school choice opponents likely will exploit heightened media and public interest to spread other untrue statements.

Don't believe them. For accurate, documented information about school vouchers, visit SchoolChoiceInfo.org.

baeo

Black Alliance for Educational Options

For more information go to: schoolchoiceinfo.org or baeo.org

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